

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7959) to provide adjusted compensation for veterans of the World War, and for other purposes, which had been reported from the Committee on Finance with amendments.

Mr. WALSH of Massachusetts. I present an amendment, which I may decide to offer as a substitute for House bill 7959, and ask to have it printed.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. CURTIS. I ask that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas? The Chair hears none, and the unfinished business is temporarily laid aside.

#### RELIEF OF AGRICULTURAL DISTRESS IN NEW MEXICO

Mr. McNARY. I submit a conference report on the joint resolution (S. J. Res. 52) for the relief of the drought-stricken areas of New Mexico.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 52) for the relief of the drought-stricken areas of New Mexico having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to amendments numbered 1, 2, and 3, and agree to the same.

The committee of conference have not agreed upon the amendment of the House numbered 4.

C. L. McNARY,

ARTHUR CAPPER,

Managers on the part of the Senate.

G. N. HAUGEN,

CHARLES B. WARD,

J. B. ASWELL,

Managers on the part of the House.

Mr. McNARY. I move the adoption of the report.

The report was agreed to.

#### RECESS

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 7 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Saturday, April 19, 1924, at 12 o'clock meridian.

### HOUSE OF REPRESENTATIVES

FRIDAY, April 18, 1924

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

In this most solemn moment O Lord God we wait on Thee, at Thy footstool, with all the reverence of our beings, in the name of Him who was the despised and rejected of men, a man of sorrows and acquainted with grief. Have mercy upon us as the chastisement of our peace was upon Him and by His stripes we are healed. O be with us dear Lord, as we pass through our Gethsemanes of sorrow and disappointment. Remember us O mighty One. Keep us so tenderly in Thy secret place that we may abide under the shadow of the Almighty. Sheltered and unafraid, support us that we may learn the lessons and the discipline of these chastisements. Help us to say this day "Thy will be done." Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. SNELL. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Will the gentleman withhold that for a moment?

Mr. SNELL. Yes.

#### BYRCE CANYON AND SCENIC SOUTHERN UTAH

Mr. COLTON. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a speech delivered last night by Mr. Cramton, of Michigan, over the radio descriptive of parks in the southern part of Utah.

The SPEAKER. The gentleman from Utah asks unanimous consent to extend his remarks by printing a speech delivered

last night over the radio by Mr. Cramton, of Michigan. Is there objection? [After a pause.] The Chair hears none.

Mr. COLTON. Mr. Speaker, last night Hon. LOUIS C. CRAMTON, of Michigan, delivered an address over the radio in Washington, D. C., upon invitation of the American Automobile Association, giving a description of Bryce Canyon and other scenic wonders in southern Utah. This speech so impressed me that under the leave granted to extend my remarks I shall submit the speech delivered by Mr. Cramton, which is as follows:

#### BYRCE CANYON AND SCENIC SOUTHERN UTAH

"Scenic Southern Utah" seems too ordinary a phrase, entirely inadequate, to designate that great region of Nature's wonders through which I traveled last summer for nearly three weeks by motor and on horseback in company with Congressman DAN ANTHONY, with A. M. Demaray, of the National Park Service, as our chaperone, guide, and comforter. Cedar Breaks, Zion Canyon, the Kaibab Forest, the North Rim of the Grand Canyon, Bryce Canyon, Fish Lake, Capitol Gorge, the mighty Colorado, the Natural Bridges—these are the headline attractions, but every mile of the route we traveled, 1,200 by auto and 150 on horseback, the latter being much the longer, has its appeal to the eye and to the imagination.

Reaching Cedar City the last day of June by the Union Pacific, the journey began with a view of Cedar Breaks, a fit prologue for the trip. Ten minutes will not suffice to tell of 20 days, 1,400 miles of travel in the midst of the world's masterpieces—Zion Canyon, where the Mukuntuweap River cuts through the Vermilion Cliffs, 3,000 feet in depth, narrowing to a gorge 50 feet wide, where flows the stream beneath overhanging walls of high rock; the Kaibab Forest, refuge of thousands of deer, hundreds of which you see coming into the open park spaces to graze at sunset; the North Rim, where you may look out over the Grand Canyon of the Colorado; the Capitol Gorge through which runs the motor road, its richly colored rocky walls rising precipitately several thousand feet and leaving a roadway, at times no more than 15 feet wide; the Natural Bridges, greatest spans over space produced by nature, three in number, the Carolyn, the Augusta, and the Edwin; the Augusta with its span of 261 feet and height to the bottom of the arch 157 feet, and to the top 222 feet, its arch 28 feet wide and 65 feet thick, symmetrical and imposing, the largest natural bridge in the world, a 15-story building would stand beneath it; the Edwin, said to be the oldest, the perfect bridge, over which the automobile road, when it comes, will cross, its arch having a span of 194 feet with an elevation of 108 feet, the bridge being only about 10 feet thick at its middle point and 25 feet wide, which geologists say a few more centuries may see worn away to destruction, but its grace and beauty now preeminent. Fifty miles of hard going through desert, mountain, and forest brings you to Blanding, through the scenes of the last Indian uprising in this country, that of 1923 when Old Posey met his death. Sixty miles more by motor would take you to the Denver & Rio Grande Railroad but our route was 176 miles to the Mesa Verde National Park and its wonderful ruins of the cliff dwellers. Time will come when a good motor road will open all this to the tourist and his silver, with great unexplored areas for rougher side trips.

This rapid outline of the other wonders of this region must now suffice while I give my time to Bryce Canyon, so aptly termed by Prof. Frederick Pack, of Utah University, as Nature's "most delicate jewel."

An amphitheater 3 miles across and 500 feet deep, eroded result of countless ages, a forest of vermilion pinnacles, its forms fantastic, bizarre, and again as regular as the fashioning of mortal architect, it is not outclassed by any other spectacle that nature affords. It quickly won my enthusiasm, and in my short stay I paid constant tribute to its everchanging moods of beauty as hour by hour the daylight and darkness, the sunshine and shadow, by sun and moon and under the stars alone, marshaled each their own charms.

I want to tell you my impressions of the canyon as from its rim I saw the full succession of its inspiring contrasts, its richly beautiful panorama—by the glare of day, with the passing of the sun, in the dim starlight, at the rising of the moon at midnight, and at the dawning of another day. The ordinary schedule of my waking and sleeping was shattered, but that does not matter if you have but a day at Bryce. The maze of forms and outlines in the canyon gives fancy free rein and you are thrilled not only by what the eye perceives but by what it "half creates" as well, as Wordsworth has it.

Sit with me here near the chasm's brink as the sun drops low. Before you fancy presents to you the city beautiful, the myriad forms left in the disorder of chance after centuries of erosion resolve themselves into something planned; you seem to see before you in the late afternoon sun, striking directly upon the face of pillars and walls before you, stretching 3 miles across the canyon, the quiet of a great city at rest. Above is Table Cliff Plateau. Far to the left in dignified inaccessibility the old fortress, impregnable with its sheer walls. In

the center, far before you, the hill crowned by an ancient Acropolis. To the extreme right the great cathedral, with its two impressive bell towers equal in height. Filling in the picture are the buildings and streets, parks, and passageways of a metropolis. The buildings, all of the pastel shades of Mediterranean towns of Spain or Italy—light red, pink, cloudy white. Streets and parks lined with the green of many actual living trees, fir and pine. The architecture is all in harmony. Great buildings rising hundreds of feet, passageways, sometimes but a few feet wide, separating one structure from another, but the walls erect and accurate, story upon story. From Acropolis Hill see how the grade drops rapidly to the waterless river bed which is parked so plentifully with trees on either side of the watercourse. Rising then abruptly to the right from the river are vermilion cliffs, where the palace of the king appears, surrounded by great turreted walls, a steep approach leading to the castle itself, nestling close against the barren cliff.

There is no sound; no smoke arises; nothing in motion but the circling cliff swallow. It is simply the ideal of fancy.

The sun has gone. Darkness falls closer and deeper and the fine tracery of the architecture dims from sight, only the lighter shades of some of the buildings holding prominence. Still you can see the great commanding outline of the fortress and in the center the white of the crowning Acropolis. The swallows no longer are flying about. The fancied forms and figures that intrigue the imagination by day are no more. The carving and architecture that would give form to the eternal city of revelations have disappeared. There are no tones, no lights from below; only the splashes of white upon the dark background, set off with darker markings of the tree areas. The city of fancy is asleep.

At midnight we cautiously approach again the rim and watch, while far in the east over Acropolis Hill a glow enriches the horizon. Soon a silver point comes to view, like a star of hope for the darkened city. Rapidly rises the majestic moon that whitens the night and brings out formless shapes of the city but does not lighten. It mounts to the heavens and the city to the west of us reflects it dimly. It is a spectral city, and the watcher under the rays of moon, the million wonders of the Milky Way, and all the stars overhead, comes to imagine an occasional moving light in the tenantless homes. But there is nothing in the city but night.

Up again and to the watcher's post; the day is dawning. A rosy hue in the east; an orange glow over Table Cliff Plateau; to the right a group of clouds which simulate a snowclad range of peaks for a time and then revert to cloud banks, reflecting rosy tints, as mounts the orb of day. His majesty enters as he has for eons of time. His rays strike the cliffs at our feet, and the reflected light illumines the nearer yellow shapes. The shapes of imagery fall away to the outlines of actuality. The swallows soar and circle, basking in the sunlight. Far toward the sun great white pillars, enriched with reflected light, seem translucent.

See Cushing Point far to the right. And note how the castle wall is buttressed at regular intervals. To the left a great forest of spires. Commanding all the fortress in the distance, its perpendicular stockade of pillars, the steep incline, the wall itself rising direct to the level plateau.

Before you now in glare of day is a prehistoric city of Babylonish splendor. It seems to have been covered with the sands of ages and appears now as if largely revealed by recent excavations still to be completed, banks of earth still in part enshrouding edifices and walls, the impression mounting that further beauties are yet to be revealed.

Far in the east you see the modern Utah town of Tropic, surrounded by its fertile green fields, a touch of reality to bring fancy back to earth. But the spell of Bryce Canyon hangs long in your memory.

#### NO QUORUM—CALL OF THE ROLL

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. Obviously there is no quorum present.

Mr. LONGWORTH. Mr. Speaker, I move a call of the House. The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Byrnes, S. C.	Davis, Minn.	Hammer
Andrew	Carew	Deal	Haugen
Anthony	Casey	Dempsey	Hayden
Barkley	Celler	Dickstein	Hoch
Beers	Clancy	Dominick	Hooker
Bell	Clark, Fla.	Drane	Howard, Okla.
Bixler	Clarke, N. Y.	Eagan	Hull, William E.
Black, N. Y.	Cleary	Edmonds	Hull, Iowa
Bloom	Cole, Ohio	Favrot	Hull, Tenn.
Boylan	Collins	Fenn	Kahn
Brand, Ohio	Connolly, Pa.	Fitzgerald	Kendall
Britten	Cooper, Ohio	Funk	Kent
Browne, N. J.	Corning	Gallivan	Kerr
Brumm	Crosser	Garber	Kiess
Buckley	Cullen	Geran	Knutson
Bulwinkle	Curry	Gifford	Kurtz
Butler	Davey	Goldsborough	LaGuardia

Langley	Moore, Ill.	Reed, W. Va.	Tague
Larson, Minn.	Morin	Reid, Ill.	Taylor, Colo.
Lazaro	Mudd	Rogers, N. H.	Temple
Lee, Ga.	Nelson, Wis.	Rosenbloom	Tucker
Leibach	Newton, Mo.	Rouse	Vare
Lindsay	O'Brien	Sanders, Ind.	Ward, N. C.
Logan	O'Connell, N. Y.	Sanders, N. Y.	Ward, N. Y.
McClintie	O'Connor, La.	Schall	Wason
McFadden	O'Connor, N. Y.	Sears, Fla.	Weller
McLeod	Perkins	Seger	Welsh
McNulty	Perlman	Sherwood	Wertz
Magee, Pa.	Phillips	Sinclair	Williams, Ill.
Major, Ill.	Prall	Snyder	Wilson, La.
Mansfield	Purnell	Strong, Pa.	Woodrum
Martin	Quayle	Sullivan	Wurzbach
Mead	Ransley	Sweet	Wyant
Michaelson	Rathbone	Swoope	Yates
Mooney	Reed, N. Y.	Taber	Zihlman

The SPEAKER. Two hundred and ninety-two Members have answered to their names; a quorum is present.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

#### THE PERMANENT POWERS OF CONGRESS

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my remarks on the constitutional relations between the Congress and the executive and judicial branches of the Government.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. McSWAIN. Mr. Speaker, there is much discussion now, both in and outside of Congress and at both ends of the Capitol and from the White House, regarding the constitutional rights of Congress to prosecute the investigations now being made by both Houses into certain executive departments. It is seriously contended that both the House of Representatives and the Senate have exceeded their constitutional powers. If this be so, it is a serious fault. Each Member of Congress takes a solemn oath to support and defend the Constitution. Let us inquire calmly with the Constitution before us, and having in mind its history, and especially having in mind the history of the English constitutional system, consider ideas we inherited, and furthermore remembering the debates that took place in the convention at Philadelphia in 1787 at which the Constitution was framed, seeking thus to ascertain the truth concerning the question of the power of Congress to investigate executive departments.

#### GOVERNMENT RESTS ON THE CONSENT OF THE GOVERNED

The fundamental proposition that we must lay down as a major premise is the principle of popular sovereignty. We must bear in mind that in America the people are supreme. Government exists for the people under our Constitution. The people not only created the Constitution, which in turn created the Government, but by their Constitution in Article V the people reserved to themselves the right to change the Constitution itself by amendments. And these amendments need not be limited, as some have argued, to perfecting and completing and amplifying powers originally conferred, but the people by amendment may not only add entirely new and distinct powers but they may repeal and annul powers previously conferred. By amendment the present framework of Government might be completely changed. The people could destroy completely either the executive, judicial, or legislative branch of the Government. The people could by the power of amendment completely wipe out either the House of Representatives or the Senate. The people could in their sovereign capacity either enlarge or restrict any of the powers of either House of Congress.

#### THE DECLARATION OF INDEPENDENCE IS THE CORNER STONE OF FREE GOVERNMENT

These ideas of the rights of the people to order or to amend their fundamental and organic law are axiomatic. They found clear and eloquent expression in the Declaration of Independence. When we are in doubt about the proper definition of American principles and when we want to know what is true 100 per cent Americanism, we need only to read the Declaration of Independence. It is the touchstone of Americanism; it is the standard and test of Americanism. It is Americanism. But that magnificent declaration of the rights of man, proceeding from the minds and hearts of men who had understood and felt the aspirations of such political philosophy as Locke, Montesquieu, Rousseau, Tom Paine, Benjamin Franklin, James Otis, John Adams, Patrick Henry, and George Mason. Lafayette warmly embraced these principles of human liberty, and they are to be found reflected, largely through his influence, in the French declaration of the rights of man.



Too many false deductions have been drawn from the many abstract assumptions of the complete equality and mutual independence of the three separate branches of our Government, respectively, the legislative, executive, and judicial. It is true that there is this strict equality and independence, but the exact limits of the equality and independence must be ascertained by reference to the Constitution itself. It has been assumed in the discussion both in Congress and outside that every executive department, and, therefore, every head and subordinate office in the executive departments, enjoys the same independence and equality of status toward the Congress that the President himself enjoys. This is not true, as we shall proceed to demonstrate by the very wording of the Constitution, and a reference to the debates in the Constitutional Convention and to the discussion had in the Federalist papers and the debates in the conventions of the several States called to consider ratification will show that too much is now claimed by way of immunity for executive departments from the supervisory investigations of Congress. It can be demonstrated and will be shown that Congress need not wait until it has already undoubted evidence of executive mismanagement or inefficiency or corruption before it investigates. Congress can investigate at any time, of its own motion, to ascertain if, perchance, these things do exist. It would be idle to say that Congress must have proof of that which it shall seek to prove by its investigation. It would be idle to say that Congress can by its investigation hear only that evidence which would be competent in a court of law proceeding according to the rules of evidence as they now prevail in this country. Not all nations have the same rules of evidence that we have. In the courts of many nations hearsay testimony is admitted for what it is worth. The rules of evidence now prevailing in this country may at legislative discretion be changed. Of course, we all agree that in the main, as the rules of evidence now exist, they are wise and proper for the control of the courts of law, and I do not favor changing them. I only mention this to illustrate that they are not immutable and are not infallible.

CONGRESS THE RESERVOIR OF FEDERAL POWER: THE FATHERS TRUSTED  
AND THE PEOPLE NOW TRUST CONGRESS

The Constitution supports the proposition that Congress was intended to be and is the great reservoir of governmental powers. It expressly provides that Congress shall have power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States, or in any department, or officer thereof." It is, therefore, manifest that Congress must enact the laws to govern the office of President itself. The Congress fixes the salary of the President. Under certain circumstances the House of Representatives may elect the President. The Congress has created each of the executive departments constituting the Cabinet of the President. The Congress may add to the number or may diminish the number. The Congress may abolish the office of Attorney General or Secretary of Commerce or Secretary of the Treasury or any other office. The Constitution says:

All legislative powers herein granted shall be vested in a Congress.

It further provides that the Constitution and the laws of the United States enacted by Congress and all treaties negotiated by the President and confirmed by a two-thirds vote of the Senate shall be the supreme law of the land. The Constitution creates the office of President for a term of four years and specifies briefly a few powers that he shall exercise. All the other powers possessed by the President are conferred by laws enacted by Congress, and, furthermore, there are laws regulating the exercise of his constitutional powers. Congress fixes his salary, and must levy the taxes to pay it, and must appropriate the money from the Treasury annually to pay it. Without congressional appropriation the Presidency would be peniless. Congress could fix the salary of President at \$1 per year if the necessary two-thirds vote to override an Executive veto could be rallied in both Houses of Congress. The Congress can by impeachment remove any executive officer in the United States, and, in fact, can remove the President himself. Though the President has a veto, it is not final and can not stand in the face of a two-thirds vote of those who directly and immediately and personally represent the sovereign people. When the Constitution confers power upon either the Executive or judicial branches but does not define that power nor prescribe its limits nor fix the manner of its exercise nor impose sanctions and penalties for its violation, then it is the Congress that must prescribe all these things by appropriate legislation.

THE POWER TO INVESTIGATE EXECUTIVE DEPARTMENTS IS ABSOLUTE, UN-  
CONFINED, AND RESPONSIBLE ONLY TO THE SOVEREIGN PEOPLE AT THE  
POLLS

In the discussion that has gone on inside and out of Congress respecting the constitutionality of the power being exercised by the Congress to investigate matters relating to the executive departments, and by such power I mean not an investigation by the consent of the departments themselves but an investigation with power to compel the attendance of witnesses and the production of papers, a power that has no limits except congressional discretion, and for the abuse of which there is no remedy except a political remedy by a final appeal to the supreme court of public opinion—in this discussion it has been so often stated as to be generally assumed that Congress has no such power to investigate except, first, to gain information looking to the formulation of general legislative policies, to assist Congress in framing laws, and to govern the future action of Congress in legislating, and in the next place with respect to necessary information to enable the House of Representatives to perform its constitutional power of impeachment. I respectfully submit that these assumptions are too limited in their application, and to that extent are false and unfounded. Congress has to do other all-important and peculiarly high prerogatives that carry with them the necessary implication of power to investigate the executive departments of the Government. These other powers are the powers of taxation and of appropriation of public funds. Taxation measures must originate in the House of Representatives, but the Senate may amend, and to enable either House of Congress to have the proper information regarding its annual duty to levy taxes it possesses the power to compel information as to how the laws that it previously has enacted are working in the production of revenue and how these executive officers charged with the administration of such revenue-producing laws are construing them and applying them not in general but in the acid test of particular instances. The Treasury Department has been created by the law of Congress. Every scrap of power that it exercises must be found in the language of the laws enacted by Congress. Congress alone can confer upon it the power to employ officers, agents, accountants, and clerks. Congress alone can prescribe their powers and fix their salaries. Congress alone can levy the taxes to raise the funds and appropriate the same from the Public Treasury to pay their salaries. Thus this department and every other department is the direct creature of Congress and a creature not of some general law enacted many years ago but depending perpetually and constantly upon the will of Congress for that life-giving compensation which is the mainspring of service.

THE POWER OF APPROPRIATION IS A CONSTITUTIONAL CHECK UPON EXECUTIVE AND ADMINISTRATIVE MALFEASANCE

Then, Congress must have information to enable it to appropriate public funds wisely. Is Congress to be dependent upon haphazard and uncertain information gathered from extra-departmental sources for its information as to how to appropriate? It must and does possess the power to compel every departmental head and every officer, clerk, and accountant in every department to appear in person, with all public records, to give Congress the information which in constitutional contemplation it must have. Whatever of secrecy may now exist as to the records in any department exists by virtue of some law enacted by Congress. Unless Congress by law takes from public records the right of every citizen to inspect the proceedings of his Government, then that right remains. The Constitution confers no immunity of secrecy. The Constitution places no shield of privacy about any department. The Constitution holds all governmental activities out in the broad sunlight of democratic publicity.

CONGRESS IS THE RESIDUARY LEGATHE OF ALL FEDERAL POWERS

It is Congress that provides who shall become President in case both the President and Vice President elected by the Electoral College shall either die, resign, or become unable to discharge the duties and powers of the office. It is Congress that prescribes how executive officers shall be appointed, and Congress may vest the President with the power to appoint certain inferior officers, but unless the Congress by law so enacts then every officer appointed by the President must be confirmed by the Senate. It is Congress that fixes the penalty for treason, and it is Congress that provides the laws to govern the Territories and all other property of the United States. It is Congress that initiates amendments to the Constitution, and it is Congress that must enact legislation enforcing every amendment to the Constitution. Thus it is manifest that our

proposition that Congress is the reservoir of constitutional power is sustained.

The President must be able to point either to some specific constitutional power or to some specific congressional legislation to enable him to do anything; but if there be any power of any sort vested anywhere in any officer or in any department of the Federal Government whose exercise is not definitely provided for in the Constitution itself, then it is the Congress that must fix the manner by law in which this power may be exercised. In other words, if the Federal Government has the power, either expressed or by implication, to do such things as carrying on war, conducting foreign relations, regulating interstate and international commerce, taxing the people, appropriating public money, and if the Constitution does not expressly in definite words give any such power to either the President or the judiciary, then that power can be exercised only by Congress. It is therefore manifest that the Congress is a sort of "constituent assembly" representing the sovereign people in the exercise of these undefined sovereign powers.

#### ACTION BY CONGRESS NECESSARY TO GIVE LIFE AND MOTION TO FEDERAL JUDICIAL POWERS

What is true with reference to the office of President is pre-eminently true with reference to the judiciary. The Constitution briefly and in most general terms states the judicial power of the Federal Government, but the duty still rests upon Congress to provide the machinery by which this judicial power may be exercised. The Constitution provides that there shall be "one Supreme Court," but does not fix the number of justices on the court, nor their annual compensation, nor the manner in which they shall proceed, nor the time when they shall meet, nor the rules of court. The Constitution does provide that the justices of the Supreme Court and the judges of such inferior courts as may be established by Congress shall hold office during good behavior, but the fact still rests with the Congress by impeachment to remove any one or all of the judges of the Supreme Court or of the inferior Federal courts.

It is Congress, by taxation, that raises the money and appropriates the same for the payment of the salaries of the judges of the Federal courts and of all the other officers of the Federal courts. Subject to the provision that the salary of no judge shall be diminished during his term of office, Congress may fix the salaries of Federal judges at \$1 per year and may thus indirectly destroy the judiciary. The Congress can not abolish the Supreme Court, but may reduce the number of judges as it sees fit and may reduce the salary as it sees fit as to future appointees, and, in fact, may fail to appropriate the money by which to pay the salaries of the existing members of the court.

#### THESE VAST POWERS ARE TESTED IN CONGRESS AS THE SUREST EXPONENT OF THE WILL OF THE MAJORITY

It may be answered that these are terrific facts resting in the hands of Congress; that they are dangerous. But no man who will read the Constitution will doubt the truth of the statements herein made. There was reason for conferring these great powers upon the Congress. Those who will read the debates in the convention will understand how the practical men, men who knew the extremes of British tyranny, men who knew the corruption of colonial executives, men who knew to what depth of depravity and to what pitches of power many executive or judicial officers will go unless restrained by the people, speaking through laws, and by the legislative power of appropriation for salaries and by the legislative check of impeachment. These men knew that Congress could never become dangerous to the liberties of the country. They prescribed that the Congress should keep a journal of its proceedings, and that one-fifth of the Members of either House might on any question demand that the yeas and nays should be entered in that Journal, and that this Journal should be published from time to time. They framed the Constitution knowing that the proceedings of the Congress would be in the open, where all men might hear with their ears and that the proceedings should be printed so that all men might read with their eyes.

The framers of the Constitution and the people by their conventions that ratified it knew that large bodies such as the two Houses of Congress, acting in perfect publicity, could not corruptly conspire to loot the open Treasury or to destroy the people's liberties. They knew that partisan zeal would always remain sufficiently alive to prevent the unanimous overriding of constitutional limitations. They knew that though a corrupt

majority might temporarily obtain control of Congress, yet there would always be a minority which from self-interest, if not from patriotism, would be prompted to protest vigorously against majority despotism. They knew that this minority would come before the country to tell of the misdeeds of the majority, and they knew that the people would in the main be forever pure minded and patriotic and would drive from power such officers as may have breached their trust or exploited their official stations or abused their governmental powers. There is the great and only remedy for the congressional abuse of power. It lies in the appeal to the people. That is the reason that the convention prescribed in the Constitution that each House of Congress should be the judge of the elections and qualifications of its own members. It gave the President no right to dictate who should sit in Congress, though it gave the Congress the right to remove the President himself. The Constitution gave neither the Supreme Court nor any inferior court any power to say who had been elected to Congress or who possessed the qualifications for a seat in either the House of Representatives or the Senate, but the Constitution did give to Congress the right to remove any judge of any Federal court by impeachment for any such malfeasance in office as the sufficient congressional majority deems a just cause for impeachment.

#### A THREE-HEADED, DEADLOCKING GOVERNMENT WOULD PROVE IMPOTENT

The members of the Constitutional Convention were accustomed to the form of Federal Government existing under the Articles of Confederation. Such Government had no executive and no judiciary and all the powers were vested in the Congress. It was therefore entirely natural that the residuary depository of power under the new Federal Government to be erected by the Constitution of 1787 should be the Congress. It was furthermore recognized that complete equality of power and complete independence between departments would finally result in a deadlock. Power must exist somewhere. If the Executive had power to tax for its own support and to create its own rules and to function independent of the annual appropriation by Congress, then the framers fully realized that they would be exchanging a despot residing in England for a greater despot with greater power residing in America. The men who framed this magnificent Constitution knew that a government to be effective in a crisis, to have the power of defense and of self-perpetuation, must have large and extensive grants of power, and their problem was merely to place that power in such a repository as to insure the greatest possible degree of safety in its exercise—safety against destruction of personal liberty and popular freedom.

#### CONGRESS HAS MORE THAN MERE LAWMAKING DUTIES—IT IS THE NATION'S GRAND JURY OF INQUEST TILL THE NEXT ELECTION

The very word "Congress," as applied to the legislative department of the Federal Government, indicates that the framers regarded it as a successor to the "Congress" that existed under the Articles of Confederation where all Federal power, including legislative, executive, and judicial, was exercised by the Congress and by the Congress alone. During the discussions in the Constitutional Convention of 1787 the original resolutions and drafts all contained the word "legislature," in referring to the body exercising legislative power. But at the close of the convention, when the Committee on Style was making its final revision and harmonizing the parts, and arranging the provisions logically, the word "legislature" was changed to the word "Congress."

Manifestly, the idea in the minds of the committee and, through them, the convention, which adopted their report, was that the people of the States and the delegates in the State conventions would better understand the functions of the legislative branch of the new Government if the word "Congress" were employed. Furthermore, the "Continental Congress" merely implied a conference or an association or a convention. This same word was applied to the sole functioning body of the Federal Government under the Articles of Confederation, but in the minds of the Revolutionary statesmen this "Congress of the United States" was the American successor to the British Parliament in so far as international and interstate affairs were concerned. Therefore, to the American mind "Congress of the United States" was analogous in its relations to the executive and judicial branches to the Parliament of England. Under the British constitution the legislative, executive, and judicial functions are somewhat commingled and blended, and the supremacy of the legislative branch is thoroughly established and universally acknowledged. The legislative branch can by any act change the British con-



stitution. According to the British constitution, the Prime Minister is the chief administrative officer of the nation—though the King is the nominal executive—and the Prime Minister is at the same time the majority leader in the national legislature. Furthermore, the House of Lords—somewhat analogous to the American Senate—then exercised, and still does the functions of a supreme judicial body. It is true that the actual decisions are prepared and rendered by the "law lords," but theoretically the decision is the decision of the whole House of Lords. If, therefore, to the mind of the American the word "Congress" brought up the idea of "Parliament;" if the word "Congress" implied something more than a mere legislative body, then it is entirely reasonable to conclude that the people who made the Constitution thought that the provisions of the Constitution to which I have already called attention would insure their liberty and freedom by the supremacy, in the final test of congressional power, over Executive authority and over judicial prerogative.

The President holds his office until he shall commit and be convicted of "high crimes and misdemeanors," or until he shall become "disqualified." But who shall decide when the President shall have committed "high crimes and misdemeanors" or shall have become "disqualified"? It is Congress that must decide. The judges of the Supreme Court and of all inferior courts hold their office "during good behavior." But who shall decide that a judge shall have ceased to demean himself with "good behavior"? It is the Congress. On the contrary, who can put a limit to the tenure of a Member of Congress? No one but Congress itself. Who can decide that Congress collectively, acting by a constitutional majority, has done wrong? Nobody but the people at public polls by electing other Members of Congress pledged to repeal the acts of the irregular and improper Congress. In other words, there is no limit that can be set to the power of Congress acting within its constitutional authority. No man nor set of men, no President nor any court can say that Congress has gone or is going too far in the exercise of its admitted powers. It can not be said that Congress has the power to investigate some acts and some offices about some things and to a certain extent, but that there is a limit beyond which the power of Congress does not go. It is like what Chief Justice John Marshall said about the power of Congress to tax:

The power to tax involves the power to destroy.

The power of Congress to act upon any of its constitutional rights and duties is a terrible and tremendous power. If the Congress acts unwisely, the country will suffer, but the country has a remedy. All Members of the House of Representatives must be elected every two years, and elected by the people. One-third of the Members of the Senate must be elected every two years, and elected by the people. So that the people have their remedies, and the Members of Congress are accountable to the people and to the people alone.

#### RAILROAD DISPUTES ADJUSTMENT

The SPEAKER. By special order of the House, the gentleman from Massachusetts [Mr. WINSLOW] is authorized to address the House for 30 minutes. [Applause.]

Mr. WINSLOW. Mr. Speaker, I ask that I be allowed to proceed without interruption until I have finished my first statement. My purpose is to end my first statement within 30 minutes in order to allow time for questioning, if possible.

Gentlemen of the House, my appearance here this morning is due to the fact that I am chairman of the Committee on Interstate and Foreign Commerce of the House. I desire to have whatever I say be regarded as an official utterance and devoid of any personal touch whatever. Some days ago a member of our committee, the gentleman from Kentucky [Mr. BARKLEY], who, I regret, is out of the city and so not here to-day, asked for permission to address this House on the subject of transportation for an hour. Two or three days ago he made his statement on a particular matter allied with the subject of transportation. He spoke of a bill which he had introduced on the 28th of February, by number H. R. 7358. It is not my intention to discuss the merits of that bill.

The gentleman from Kentucky set forth his ideas on the subject and explained it at considerable length and accurately. I dare say, as representing his own views, and he did it in a perfectly orderly way. In due time near the end of his speech he was moved by some spirit or another, maybe an inquiry, to say to the House that the proponents and the opponents of his bill had been gagged in respect of the consideration of that bill by the Committee on Interstate and Foreign Commerce. In the ordinary passing of persiflage on the floor of this House no one

would mind such a statement as that very much; but when it carries with it the imputation of bad purpose and bad faith on the part of one of the largest committees of this House, numbering 21, and, so far as I know, representing, as I believe he did, the views of only one member of the committee, it is time to have the situation explained. Such is my purpose. The gentleman in his remarks called attention to the fact that the members of the Committee on Interstate and Foreign Commerce had not recognized the merits involved in this bill, as they should have, and that they passed it over with slight concern, and he referred to the fact that the Senate in its wisdom, through its regularly appointed Committee on Interstate Commerce, had given time to the consideration of the bill. The Senate has a committee of 17 to do part of the work which our committee of 21 is expected to do. The Senate committee of 17 gave the bill over to a subcommittee of 3 to handle, and that committee of 3 found that there was enough in it to warrant the publication of that much testimony—about 2 inches thick [illustrating]—covering a period of six or seven days. That subcommittee, while there were many witnesses still in the room and who had been hanging on there with a desire to say something in opposition to the bill, cut the hearings sharply off without notice. They said, "These hearings are over," and yet they had consumed some number of days in hearing testimony, with witnesses yet desiring to go on. I want you to mark that fact for the reason that the utterances of the gentleman from Kentucky [Mr. BARKLEY] would seem to indicate that this was a little fly-by-night matter which could be decided or run in at almost any time in order to please some one in particular or somebodies in particular.

Our committee is not a "by-guess and by-gosh" committee. [Laughter.] It lays out its work with care. We are not here to make a confession. I am not here in a spirit of aggression. But here is the House, made up, when all the membership is available, of 435 men, representing the whole country and some outlying possessions through Delegates. Here is a proposal involving one of the most sensitive problems which this country has to consider, the matter of railway labor, and it is not to be expected that our committee in its wisdom will flippantly handle such a bill and say, "All right; we will take it up to-morrow, or day after to-morrow, or sometime, to please you." A bill must be considered as to its merits. The committee must consider the amount of time likely to be occupied in consideration. This bill should be considered, and was considered by our committee, with reference to its connection with other allied transportation subjects, and with a further thought in mind of great importance, and that is the availability of the bill for possible legislation in this Congress.

We have in committee—I know it to my sorrow—a call every little while to bring out some bill to help some fellow please somebody else somewhere. That may be a fine thing to do in the case of a bridge bill. We do it. It may be a fine thing when reasonably possible to do in the matter of a subject not controversial. But when it comes to an underlying fundamental subject, it seems to me and I think to most of our committee that it is mighty unwise procedure. I do not believe that any committee is justified in holding prolonged, expensive hearings—expensive as to the cost of them, through stenography, and so forth; expensive as to the cost of time on the part of the members and the witnesses—unless they expect or have reason to believe that the reported legislation can possibly be considered by the Congress.

If you follow the other plan of holding long hearings to appease somebody, you are doing nothing more—and we all know it—than to put in a political plug somewhere; and so long as this committee that I am connected with is influenced by my suggestion, we shall not give ourselves over to the opportune method of doing things to appease elements, unless it appears that something substantial shall come out of our efforts and conclusions. [Applause.]

Just to show how things are going with our committee—and you had better know it—we are brought up on the carpet in a certain way, where we are obliged not to defend ourselves, but to furnish facts, so that when you come to further consideration later on you will have a knowledge of what we have had in mind.

You will remember that in the opening of this Congress we spent about a month dilly-dallying around, trying to organize. Our committee was organized as early as possible in the usual way on the 9th of January. From the 9th of January to the 16th of April, when this little matter now under discussion attracted attention, there were 85 what we call legislative days during which committees could meet in the usual and orderly manner. Out of those 85 days we held meetings to the

number of 60 out of 85 possible days; and in addition to that we had 23 meetings of subcommittees sandwiched in.

I merely want you to realize that that committee has occasion to count its minutes, to consider the wisdom of the bills they take up, with a due regard to the various essentials which I have enumerated.

During that time we have had pass through our committee's hands 156 bills. Thirty-three we transferred without any particular effort on the part of the committee to the Veterans' Bureau Committee, the new one, leaving 123 which we actually had in hand and to which we gave actual consideration. All of them would, I believe, appear to you to be important.

We come along, my friends, to a time when the miscellaneous bills which could be taken care of had been virtually considered, and we had a meeting, arranged not under pressure, to consider a program for the future. On the 8th of March we had a meeting for the purpose of taking up the bills before us with a view to arranging them as to subjects and importance and with a view to fixing plans for procedure. At that meeting—and I wish now to read from the transcript of our record—"Mr. BARKLEY moved that the meeting on Tuesday next be devoted to discussing, as far as possible, the future procedure of the committee, outlining its plans during the remainder of the session." That was the motion of the gentleman from Kentucky [Mr. BARKLEY] 10 days after introducing his bill. Following that on through, on the 11th of April, the Tuesday mentioned in the record, it was the understanding, after hearing Governor Morrow, beginning on March 12, the next day, the next meeting would be for the purpose of further considering the plans of the committee. Governor Morrow's testimony went on longer than we expected, but the first business taken up after he had finished his testimony was in regard to the bills already brought before the committee, and the record shows that on March 14, rather than on Tuesday the 12th, the chairman outlined to the members of the committee the bills now pending.

"Mr. BARKLEY moved that the committee meet at 10.30 a. m., Saturday, March 15"—for the purpose of taking up bills on which the committee has already held hearings and which were ready for action.

"Carried."

You will note that no mention was made of this Barkley bill, reported to be in a committee jam.

Our committee met on March 15, and we did not then take up the subject of procedure. We took up Panama Canal tolls and pushed them along for the reason that the governor of the canal was here waiting in order to testify, so that he might get away and go on home to his duty, as we would like to have him do. The next day we took up more Panama bills, and also one affecting the interests of Porto Rico, which government was represented here by delegates, in order that we might help them get on their way home. On the next day we considered Porto Rican matters again, and then we took up another, the Mississippi barge bill, in which the people living in the Mississippi Valley, the Southern States, along the Black River, and up as far as St. Paul, were interested, at the behest of the Secretary of War.

There was no objection as to procedure during all this time from anybody. We followed on with the barge bill for four days, and there was no objection. Then we went on to the 25th, and then took up a number of bridge bills to please a lot of Members of Congress. Then we came to March 26—and I want you to take notice of this, because it will show the extent to which this Barkley bill was jammed against the wall by our committee. I will read, not as a whole, but enough to give you the facts, from our committee records.

Mr. RAKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. RAKER. I understand the gentleman is reading from the minutes of the committee.

Mr. WINSLOW. I have been so far.

Mr. RAKER. All I ask now is that the Speaker rule whether or not a Member is entitled to use the minutes of a committee. I have tried it but never had a chance to have the Speaker rule on it. I would like to know so that hereafter I may be able to use the minutes of a meeting of a committee, if that should be the ruling; if not, that others may have a guide for their future actions. If the gentleman can use them, then I will withdraw my point of order. But I want a ruling from the Speaker, because it has been vital as to whether or not you can use the minutes of any committee of the House before the House.

Mr. WINSLOW. I am perfectly satisfied to have the gentleman try it out, and I do not say that unhappily at all.

Mr. RAKER. I have no objection to the gentleman going on if it is proper that they may be used. For one, I want to know.

Mr. TINCHEB. Mr. Speaker, I do not think that question is before the House. The chairman of the committee representing the committee, acting for the committee, and speaking for the committee, as he stated in opening his address, is now giving certain information, and I do not think a point of order could be made against that.

Mr. RAKER. Mr. Speaker—

The SPEAKER. The Chair does not care to hear the gentleman from California at present. It is a well-known fact that it is not in order in the House to discuss and report what has transpired in committees. Whether it is in order to refer to the formal minutes of a committee, the Chair is not certain, and the Chair would like a moment to look that up.

Mr. CRAMTON. Mr. Speaker, let me ask the gentleman from California, if I may have his attention, whatever might be the rule, if he does not think, as a matter of fair play and good faith, when an attack is launched against a committee of this House charging it with dilatoriness and with lack of attention to a given bill, that it is proper for the House to have the real facts in the case.

Mr. RAKER. Will the gentleman yield for a question?

Mr. CRAMTON. The gentleman from California has the floor.

Mr. RAKER. Mr. Speaker, may I ask one question?

The SPEAKER. The Chair will hear the gentleman.

Mr. RAKER. There were two matters, and one in particular, where it was a matter of absolute fair play. I tried to get the minutes, and I went to every parliamentarian in the House to see whether or not I could use the record. I went to the Speaker's clerk and I went to Mr. CANNON, who was then working on the matter. They all looked it up for me and they said, "Well, it is a matter you ought to be permitted to do, RAKER, but you can not do it," and I had to quit. Now, I just want a ruling this morning, so that when I get in a pinch later or hereafter I may be in shape to present such things to the House in the orderly way.

Mr. CRAMTON. But, if the gentleman will permit, what the House is concerned about now and what the House is interested in now is not some trouble of the gentleman from California but particular charges of dilatoriness and lack of attention to important business which have been made against this particular committee. If anyone ever makes an attack upon a committee of which the gentleman from California might be the chairman and charges that he is not giving proper consideration to bills before his committee, I hope that no one would interpose an objection which would prevent his making a proper statement.

Mr. RAKER. If these charges are made against the committee and certain members personally, I want to submit it to the Speaker this morning. I am for fair play. I am not objecting to the gentleman from Massachusetts [Mr. WINSLOW] proceeding in this matter in his own way, but I desire this controversial question settled by the Speaker. Then we will all know to what extent one can go relative to the proceedings of a committee and the use of its records.

Mr. LONGWORTH and Mr. QUIN rose.

The SPEAKER. The Chair will hear the gentleman from Mississippi.

Mr. QUIN. Mr. Speaker, it occurs to me that there is more than the discussion indicates so far involved in this question. I voted for the proposition to have a bill taken from a committee by petition, and I even voted for 100, but it passed at 150. It is fundamentally wrong, it occurs to me, that a chairman of a committee, by having the majority with him, can shut out certain legislation by putting a number of bills ahead of it, some of them, perhaps, not worthy of taking up the time of the committee. It seems to me it is very vital that the point be ruled on by the Chair, the point as to whether or not the minutes of a committee can be brought out on the floor of this House.

Mr. LONGWORTH and Mr. CRISP rose.

The SPEAKER. The Chair will recognize the gentleman from Ohio.

Mr. LONGWORTH. Mr. Speaker, it has always occurred to me that the object of the rule which has been referred to was to prevent members from revealing the attitude of other members on a committee. That was the object of the rule and not to prevent the House from having knowledge of hearings on certain bills. What the chairman of the Interstate and Foreign Commerce Committee has said does not reveal the proceedings of the committee in the sense of giving the attitude of



members or votes on particular measures, but merely as to the volume of the work and the sequence of the work. It seems to me there can be no possible objection to it and that it does not fall within this rule.

Mr. CRISP. Mr. Speaker, I simply desire to present one or two thoughts to the Speaker in connection with this matter, for it is a matter of the utmost importance to the House. I think the gentleman from Massachusetts [Mr. WINSLOW] should be permitted, no matter what the ruling of the Speaker is in this case, to proceed, and I think the House would give unanimous consent for him to do it; but the question involved is one of importance. My own judgment is that the debates and matters of that kind that transpire in a committee are protected with a cloak of secrecy and should not be used in the House; but the public has a right to know the official action taken by a committee. Mr. Speaker, in my judgment that is the only reason why committees keep records or minutes of their proceedings; and it seems to me, undoubtedly, the official minutes of the committee are competent to be used in the House. I go further: I believe if a court proceeding arose as to the conduct of a committee, it would be legal and competent evidence to introduce in evidence in the trial of the case excerpts from the minutes of the committee; and in my judgment, undoubtedly, excerpts from the minutes of one of the committees of the House are legitimate subjects for discussion on the floor of this House.

Mr. LONGWORTH. Mr. Speaker, may I add just a word in addition to what the gentleman from Georgia [Mr. CRISP] has said? There is even more reason at this session of Congress for the production of minutes, on account of the new rule which we have adopted relating to petitions to discharge committees. It seems to me highly essential under those circumstances that an explanation can be given as to why a certain bill has not been reached in the orderly discussions of the committee.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. CHINDBLOM. In the event a petition has received sufficient signatures and the question of the consideration of the bill comes before the House, I presume it would not be contended it would not be then proper to discuss the conduct of the committee in the handling of that legislation.

Mr. LONGWORTH. Certainly not; and therefore why should it not be discussed in advance of that parliamentary situation?

Mr. CHINDBLOM. Exactly.

Mr. NEWTON of Minnesota. And while a petition is pending for the purpose of having the committee discharged, which is the case here.

Mr. LONGWORTH. Precisely. It seems to me that while I think the gentleman from Georgia is entirely right under ordinary circumstances, with this new rule he is even "more right," and there is even more reason why the chairman of a committee should make exactly the sort of statement that the chairman of the Committee on Interstate and Foreign Commerce is making now.

Mr. RAKER. Will the gentleman yield? Is it the gentleman's view that a Member would have the right to read before the House how Members voted in a committee?

Mr. LONGWORTH. No; not at all.

Mr. RAKER. That is a written record.

Mr. LONGWORTH. But that is not what the gentleman from Massachusetts [Mr. WINSLOW] is undertaking to do.

Mr. WINSLOW. Will the gentleman from Ohio yield a moment?

Mr. LONGWORTH. Yes.

Mr. WINSLOW. If it were of enough importance, the reporter could read the last utterance I made, which was to the effect that I now will give you some facts, but I will not read from the record—that is where the votes appear—these other matters I have referred to in order to meet a certain part of the statement of the gentleman from Kentucky [Mr. BARKLEY], which I shall later bring up.

Mr. LONGWORTH. Nothing that the gentleman has said has at all violated the spirit of the rule of privacy which ought to govern as to what transpires in committees where Members cast their votes on matters of legislation, which ought not to be made public.

Mr. GREEN of Iowa. Mr. Speaker, just a suggestion in line with the statement made by the gentleman from Georgia [Mr. CRISP]. It will be at times necessary to go to the record, possibly not to obtain the vote of the various Members but to determine in case of dispute whether a bill has been reported. A dispute might arise as to whether a bill had actually been reported, in which case there could be no way to determine

it definitely except by appealing to the records of the committee, and there are other circumstances which might bring such matters into court, as the gentleman from Georgia has stated, in which event it would be necessary to appeal to the record.

Mr. MAPES. Mr. Speaker, this is an important point of order that has been raised by the gentleman from California [Mr. RAKER]. As has been suggested, the Members of the House desire to know what the pertinent facts are in regard to the consideration of this particular matter, regardless of the point of order, and I ask unanimous consent that the gentleman from Massachusetts [Mr. WINSLOW] may be allowed to proceed with his speech, giving the pertinent action of the committee on the subject under debate, without reference to the decision of the point of order at this particular time.

Mr. RAKER. Mr. Speaker, I reserve the right to object—

Mr. BANKHEAD. Mr. Speaker, I object to the unanimous-consent request, because I think this is a matter of sufficient importance, as a matter of procedure, to have a definite ruling by the Chair. I would like to submit an observation to the Chair if the Chair will hear me.

The SPEAKER. The Chair will be glad to hear the gentleman.

Mr. BANKHEAD. I think if the Chair had an opportunity to run down the precedents with reference to this matter the Chair would find that under certain circumstances the proceedings before a committee are entirely legitimate for production, but they are cases in which, I think, the precedents will show questions arise out of a direct attack upon the propriety of the immediate consideration of some measure brought up for consideration before the House upon the report of a bill by a committee. For instance, where a question is raised as to whether or not a majority of the committee were present and voted to favorably report a bill; but I very seriously doubt the propriety as a matter of practice of making it permissible to inject into a general debate proceedings before the committee, because of the fact that it is admitted that the proceedings of a committee are clothed with a certain amount of privilege and secrecy, and this very instance, if the Chair will permit, shows the possible lack of wisdom of that course. Now, as a matter of argument and as a matter of having an opportunity to reply to the criticisms of the gentleman from Kentucky [Mr. BARKLEY] in his speech a few days ago, I have no doubt from that consideration the gentleman from Massachusetts should have an opportunity to reply and to disclose to the House the record of the proceedings before his committee. That, however, does not go to the question now presented to the Chair.

But inasmuch as the question has been raised directly as a question of parliamentary procedure, it seems to me that under the consideration of the executive proceedings before the committees it would be very unwise to open up in general debate and in an ancillary matter like this the proceedings of the committee, and I believe the parliamentary clerk, on research, will find that to be the rule.

Mr. GARRETT of Tennessee. Mr. Speaker, in view of the importance of this question I would like to be heard for a moment. All that I can find in a hasty examination on this subject is contained in Jefferson's Manual, which, of course, is part of the rules of the House in so far as applicable. I read as follows paragraph 310, 311, and 312 of the Manual:

Standing committees, as of Privileges and Elections, etc., are usually appointed at the first meeting, to continue through the session. The person first named is generally permitted to act as chairman. But this is a matter of courtesy, every committee having a right to elect their own chairman, who presides over them, puts questions, and reports their proceedings to the House.

At these committees the members are to speak standing and not sitting, though there is reason to conjecture it was formerly otherwise.

Their proceedings are not to be published, as they are of no force till confirmed by the House.

A minute upon that is as follows:

In the House of Representatives it is entirely within rule and usage for a committee to conduct its proceedings in secret (IV, 4558-4564), and the House itself may not abrogate the secrecy of a committee's proceedings except by suspending the rule (IV, 4565). In one case the House authorized the clerk of a committee to disclose by deposition its proceedings (III, 2604). Where a committee takes testimony it is sometimes very desirable that the proceedings be secret (III, 1694), as in the investigation of the Bank of the United States in 1834, when the committee determined that its proceedings should be confidential, not to be attended by any person not invited or required (III, 1732). It is for the committee to determine, in its discretion, whether the proceedings

of the committee shall be open or not. Thus, in the case of Roberts the committee permitted its meetings to be attended by the public and allowed its proceedings to be published.

In Hinds' Precedents, volume 4, paragraph 4565, I find the following:

The rules do not permit the House to abrogate the secrecy of a committee's proceedings; but it was done by suspension of the rules. On January 6, 1873, Mr. William P. Frye, of Maine, proposed the following:

"Resolved, That the committee of this House appointed to investigate charges of corruption in the matter of stock in the Credit Mobilier be, and they are hereby, instructed to continue such investigation without secrecy as to either their past or future proceedings."

Mr. Luke P. Poland, of Vermont, having raised a question of order, The Speaker held that inasmuch as it is provided in Jefferson's Manual that "the proceedings of a committee are not to be published, as they are of no force till confirmed by the House," and by rule 144 that "the rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House," etc., and whereas the provision of the manual was not contravened by any rule or practice of the House or joint rule of the two Houses, the said resolution was virtually a change of the rules and could not be submitted under the present call.

It seems to me, Mr. Speaker, that the question to be determined is whether the official minutes of the committee constitute a part of the executive proceedings of the committee. I am inclined to believe, reasoning by analogy, that they do, especially unless the committee itself agrees to make them public. When I speak of reasoning by analogy I have in mind a case which occurred in the last Congress wherein it was sought by a Member from Tennessee, Mr. Clouse, to secure testimony as to a vote and record in the Committee on Ways and Means of the gentleman from Tennessee [Mr. HULL]. The gentleman from Tennessee [Mr. HULL] was perfectly willing for this testimony to be taken, but the Clerk of the House, acting under the rules of the House, declined to give the testimony, although it occurred in a preceding Congress, until the House itself by resolution had authorized the Clerk to produce the records of the past Congress and testify in regard thereto.

There is somewhere to be found a decision to the effect that it is not out of order to refer in the House in debate to the proceedings of a committee in a prior Congress. I find that in a hasty examination of the manual. But in that case, even as to testifying relative to occurrences in a committee of a past Congress it was determined that it could not be done save by passing a resolution authorizing the Clerk to produce the record. Reasoning from that precedent, I am inclined to believe that unless the committee itself determines to make public the record they constitute a part of the executive proceedings and that the point of order made by the gentleman from California should be sustained.

Mr. SABATH. Mr. Speaker, all I desire to say is that there is a distinction between giving the House information as to the activities of a committee that might be read from the minutes and what has actually transpired in the committee. As I understand, the gentleman from Massachusetts merely uses the minutes to inform the House as to the activities of the committee and not what actually transpired in the executive meeting of the committee.

Mr. SHALLENBERGER. Mr. Speaker, I would not question the judgment of the experts in parliamentary law, but it seems to me a certain rule does apply here, and that is the rule of reason. [Applause.] We have a new rule that is now being invoked for the first time, which is to discharge the committee and bring this bill before the House for immediate consideration. I am sorry the gentleman from Kentucky is not present to speak for himself as to whether or not the committee did refuse consideration of the bill and whether or not it was the correct thing for him to do to invoke the new rule by filing the petition.

Whether or not this House shall consider this matter and act upon it is one question, but it seems to me that the Members are entitled to the information that the chairman of the committee is seeking now to give to the House; and, speaking as a member of the committee and for myself, I think that under the conditions that now confront the House, this rule never having been appealed to before, a new principle being now invoked, good judgment and good reason should decide that the chairman of our committee should be allowed to present the record, which will show to the House whether we have given

consideration to the bill or opportunity has been given for the consideration of this measure. [Applause.]

Mr. CRAMTON. Mr. Speaker, the purpose of the rules, of course, is to secure due decorum in the transaction of business and promote well-considered legislation. As the gentleman from Alabama [Mr. BANKHEAD] has suggested, there have been cases where the citation of proceedings of a committee has been held in order. I recall in the last Congress, when a point of order was made against a rule reported by the Committee on Rules, the point of order being made that the rule was reported by a committee when a quorum was not present, the issue being raised as to whether or not a quorum had authorized the report, that the present Speaker held that for the purpose of determining that issue, which was properly before the House, the proceedings of the committee were the best evidence, and it was in order to have the proceedings referred to to establish that fact.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. In just a moment. The matter pending before the House constitutes an issue as to which the records of a committee afford the best evidence. We have a new rule that permits a motion to be made for the discharge of a committee from the consideration of a bill. Under that rule a motion has been filed and has been signed to some extent, which calls for the discharge of the Committee on Interstate and Foreign Commerce from further consideration of a bill. If this House is to continue the practice of legislating through committees, then the motion to discharge a committee from further consideration of a bill should be based only upon the theory that the committee is dilatory in the performance of its duty, that it is not giving the consideration to a particular bill that the bill merits in the opinion of the House. Therefore, the motion that has been filed as to this particular bill does challenge the conduct of the committee that has the bill in charge.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. It does challenge the conduct of the committee as to whether it has been proceeding with due diligence, with a due consideration for the character and importance of the bill. In meeting that charge that is lodged against it the House, passing upon the question, is entitled to the best evidence there is as to the conduct of the committee and that is the evidence found in the proceedings, not the actions of individual members of the committee, but the conduct of the committee itself as a whole, as to whether it has been proceeding with due regard to the importance of the bill and with due diligence. Therefore, the line that the gentleman from Massachusetts [Mr. WINSLOW] has been following would seem to be entirely in order. To hold otherwise would largely, under the new rule, undermine the practice of legislating through committees, and throw onto the door of this House, from time to time, bills undigested by any committee and with reference to which a committee had been proceeding with due diligence.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. HUDDLESTON. I call the gentleman's attention to the fact that the rule gives the right to discharge when the bill has been before a committee for 30 days, without report, and no question of delay or neglect is involved. It is merely the lapse of 30 days' time.

Mr. CRAMTON. The gentleman overlooks this fact. The rule permits the discharge of a committee within 30 days, but does not require it; but whether or not the House will require it under the rule will be based upon and ought to be based upon the conduct of the committee itself.

Mr. HUDDLESTON. I call attention also to the fact that it does not require the discharge of the committee, no matter how gross might be the neglect or how unreasonable the delay.

Mr. CRAMTON. That is for the House to determine in the light of the facts, and we are now seeking to get the facts before the House.

Mr. HUDDLESTON. But not upon that issue.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LONGWORTH. Take the matter of a tariff bill. A man most anxious to have such a bill reported would be absolutely certain that it could not be carefully considered within, say, 90 days. The mere fact that the rule permitted a certain number of the House to discharge a committee within 30 days does not argue at all that it ought to be done or that the House would do it.

Mr. CRAMTON. As a matter of fact, if the ruling contended for is correct, and the committee started its hearings the next day after its introduction, and the hearings were not completed, under the ruling contended for here, that information could not



be given to the House from the best authority, namely, the records of the committee.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. GARRETT of Tennessee. I suggest this for the consideration of the gentleman and for the consideration of the Chair. The discharge rule, by the way, is not a new rule. There has been a discharge rule in the rules for many years, but it is new now as to form. The adoption of that may present a reason that would induce the House to change the rules of the House, but it would not justify the Speaker in changing the rulings if the rulings of the past have been correct.

Mr. LONGWORTH. Under the precedent that the gentleman cited a short time ago with regard to the secrecy of proceedings, the gentleman stated, as I followed the reading of it, that the committee has a right to make its proceedings public. Would not the committee if it saw fit have the right to give its proceedings to the newspapers?

Mr. GARRETT of Tennessee. I do not know of any ruling about it, but I expressed the opinion myself that any committee did have the right if it chose to do so to make public its proceedings. I think so, undoubtedly, as a committee, but, of course, that is not this case.

Mr. LONGWORTH. It is in a sense this case, because the gentleman from Massachusetts says that he is here speaking not as an individual but as the chairman of this committee and by authority of this committee, showing to this House, as he might show to the country, that the committee has been diligent in the prosecution of all necessary legislation.

Mr. GARRETT of Tennessee. I do not understand that the committee has given any authority of that kind. I do not think this matter is so full of difficulty. I think the ruling is very important, but I do not think it is so full of difficulty, because, after all, the matter is within the control, first, of the Committee on Interstate and Foreign Commerce, if I am right in my view, and, second, in any event it is within the control of the House by a suspension of the rules.

Mr. BURNES. I simply want to make this suggestion, to emphasize, as I think it would, the argument which the gentleman from Michigan has already made—namely, in the interest of orderly procedure, with a petition pending for the discharge of a committee, the membership itself is entitled to information as to what the activities of the committee have been upon the question in order that the Members may be enabled to determine whether they ought to sign the petition which is pending or not.

The SPEAKER. The Chair is ready to rule. The Chair has always supposed that the main purpose of the rule forbidding the disclosure of what transpired in committees was to protect the membership of the committee so that discussions in the committee, where members were forming their opinions upon legislation, might be absolutely free and unembarrassed. Whereas, in this House men are making records in a committee, men ought to act with a consciousness that their attitude would not be published, so that they could consult and discuss with perfect freedom and the committee would have the first as well as the final judgment of all the members of the committee without fear of seeming inconsistent. The Chair has always supposed that was the real purpose, and it is extremely important that the members of the committee should in its proceedings be mutually confidential. But the Chair in inspecting the decisions finds that they go much farther than that, and they hold not that simply what was said in the committee was confidential but that the records of the committee could not be quoted without the previous authorization of the committee. Now, it has been argued, and very plausibly, by the gentleman from Ohio and the gentleman from Michigan and the gentleman from Nebraska that the new rule makes it important for the House to know what transpired in the committee in order that the House could judge better whether or not action should be taken under the rule, and the Chair recognizes that certainly in equity that is very impressive; in fact, the Chair can not conceive of a case where the equities would seem to be more strongly in favor of citing the proceedings in committee than in this, where a member of the committee has made charges on the floor against the neglect of the committee and followed up those charges here by filing a petition under the new rule, and then when the chairman of the committee proposes to answer those charges to have the point of order raised that he can not state what the proceedings of the committee have been.

If it was a new question the Chair would be strongly inclined to hold that it is in order. But the decisions are very conclusive, from 1884, to the effect that the records of the

committee are not available for comment in the House, and therefore the Chair under the precedents feels constrained to sustain the point of order.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts have leave to refer to the minutes of the committee to such extent as he may deem advisable, and that the minutes be printed in the Record.

The SPEAKER. Is there objection?

Mr. MOORE of Virginia. Mr. Speaker, reserving the right to object—

Mr. SNYDER. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York objects.

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONGWORTH. Would it be in order to move that the gentleman may proceed?

Mr. WINSLOW. If the gentleman will yield, this will undoubtedly be followed through by a roll call, and there will be great waste of good time. I do not want to—

Mr. LONGWORTH. I do not think—

Mr. WINSLOW. I can work it in just as well.

The SPEAKER. The Chair does not think it would be in order to move to change the rules of the House. This can only be done by unanimous consent.

Mr. LONGWORTH. Would it be in order to move to suspend the rules?

The SPEAKER. No; it would not be.

Mr. RAYBURN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAYBURN. Under the ruling of the Chair just delivered, which I think is proper under the precedents—it is going to be very cumbersome under the new rule adopted—would it be proper for the gentleman from Massachusetts to make a statement along the line that a motion had been made in the committee to take up the bill for hearing and consideration and that motion had been voted up or down?

The SPEAKER. The Chair does not think that would be in order.

Mr. BANKHEAD. Mr. Speaker, I hope the gentleman from New York will not insist upon his objection. I think, as a matter of fairness, the gentleman should have that privilege.

Mr. SNYDER. Mr. Speaker, it seems to be the opinion of the House that I do not object, and therefore I withdraw my objection.

Mr. MOORE of Virginia. Mr. Speaker, reserving the right to object, I would like to say just a word. I was very much impressed by the argument of the gentleman from Michigan [Mr. CRAMTON] with reference to the discharge rule that makes the practice laid down in Jefferson's Manual very difficult of application. I endeavored before the Committee on Rules in December to secure a modification of the practice we are discussing, because I knew it should be modified if we are to have a proper application of the discharge rule. But I have never been able to get the Committee on Rules to consider that or some other propositions that I submitted for its consideration.

Mr. WINSLOW. Mr. Speaker, I ask unanimous consent to proceed for part of five minutes to make a statement apart from my intended remarks.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes apart from the lines he indicated. Is there objection?

There was no objection.

The SPEAKER. The gentleman has 12 minutes remaining.

Mr. WINSLOW. It is no part of my code to disrupt law and order in any particular. I would rather let the whole thing go by than be guilty of trying to do anything of that sort. But on the day when our fellow Member from Kentucky [Mr. BARKLEY] made his speech, in referring to the action of the committee, to which he did refer, and it went by, and without comment, and it was printed in the Record, he said:

All I know is that the Committee on Interstate and Foreign Commerce has not taken it up. It has refused to take it up.

Is not that an evidence of intent to report what took place in the committee? I took it for granted that if the gentleman's representation went by and became a matter of record, I could answer in the same tone and show, not merely by word out of my mouth, but from the real records of the committee, that the statement was not accurate. That is all I had in mind to do.

My friends, if we do not change these rules, particularly after this discussion to-day, it means that every time a man gets up here to tell something affecting a bill, from the standpoint of committee action, some man will say, "Point of order; you are telling something about the side you are interested

in." I "heard the master's voice" on this matter—that is, the right of the House to be informed—and I felt that this was of the first consideration. I mean to cover later this petition proposition. Later on I intended to refer to future proceedings in case there were any need. That is not what troubles me most. It is the bold statement of the gentleman from Kentucky, who has undertaken to tell what our committee has not done, while as indicated by our record his statement was inaccurate. I am perfectly certain that some people—not all, of course, but some people—who have signed this petition have done it under the misapprehension that the man who introduced this bill had been gagged by the committee—if that is the interpretation. I do not now intend to discuss the measure on its merits but later on. It has been pulled in, however, by the heels, as it were.

The question arises as to whether or not under the circumstances you want me in an easy running way to say it is not so, and let it go at that, or whether the House is entitled and almost obligated to get the facts. You want to get them. If you want me to do what you might call glossing it over, I can gloss it over, and in some way, without transgressing the rules, indicate the attitude of other people. It is subterfuge in one case and square off the bat in the other. The statement is made that we have a new order of things and, if it is going to wind up with less "bunk" and more frankness, I am glad that the time has come when we do get into a condition of that kind.

According to my recollection, between the 25th of March and the 16th of April, yea, even between the 25th of March and the 16th of April, inclusive, several times—I will not say exactly how many, but several times, as my recollection tells me—the committee had an opportunity to vote and bring out a bill which is of interest to us here. They voted the other way, as I remember it, three times. [Laughter.]

What are the reasons for that? I think that the policy of the committee was to clear its desk of bills which they had had under consideration, and I believe that the members of the committee felt that they should not have everything up in the air all the time, and I am further of the mind that the committee as a whole felt that they had better get partially finished bills out of the way and dispose of them one way or another. They proceeded to do it, and then in accordance with what has taken place since then in the committee, as everybody knows has happened, we have taken up several bills, and we have taken them up for the purpose of getting an open space free for new subjects. I remember one man on the committee told the others distinctly, in a friendly way, not too officially, that it would seem as if we should take the transportation matter up as a unit, because there are many bills on transportation that are more or less interwoven, all bearing on the general subject of transportation, and all must be considered, if it were to be done wisely, at the same time.

We have at the moment a beautiful illustration of this idea. We have a dozen bills affecting the "truth in fabric" and "merchandise misbranding." They differ more or less one from another and it seems to me, from my talks with the members of the committee, that it is their opinion that we are doing well to take these bills up together. I am not going to argue it now, but I think the course of wisdom would be to let the committee determine upon the course of procedure on transportation matters.

If we are to go on and have statements made to the public, to excite, it may be proponents or opponents of this and that and the other legislation, as to the attitude of the committee, it is clear enough that in a little while we shall be in an awful mess. We shall be accused of doing things that we do not do. Our committee is being represented by one of its members as having refused to do a certain thing. I do not remember it. I just do not remember it. [Laughter and applause.] As to our declining to give it consideration at any time, past, present, or future, I am of the same state of mind.

So much for that. I want all Members of the House to realize that while we are not thin-skinned as a committee or as individuals in the discharge of our duties, we do not like to have it go out, as affecting the Congress of the United States, that any committee of its own selection would be guilty of crowding to the wall any bill which had merit enough to be considered if it were properly available and otherwise qualified. I believe the committee is sorry, indeed, to put it mildly, that they have without warrant been held up to that censure.

To show you the interest which has been taken in these bills, Mr. Speaker, would I be regarded as working improperly if I took a chance on a little other information of a different character? I want to do the right thing. [Laughter.]

The SPEAKER. The Chair does not know to what the gentleman refers.

Mr. WINSLOW. In that case I would like to afford the Chair an opportunity to determine.

Mr. GARRETT of Tennessee. The gentleman has unanimous consent to do that.

Mr. WINSLOW. I did not understand that.

The SPEAKER. Unanimous consent was given to the gentleman to refer to the records of the committee.

Mr. WINSLOW. Well, I had not any more to refer to. [Laughter.] But as indicative, my brethren, of the extent to which this great country of ours is wild about the subject of this particular bill, I have brought in here the entire correspondence from the files of the committee. I will not read it, mind you, but there it is, and there are not over 12 communications, and if I have the right I will tell the facts. There were three letters in favor of the legislation; these are two, miscellaneous in character in the way of interrogations as to when the bill might be considered, and there are seven opposed to the bill, and five of those are from organized railway labor organizations. That would suggest that perhaps there is more than one point of view in respect of the merits of the Barkley bill.

In addition to that the chairman does not remember a single application for early consideration of this bill or any consideration except from a committee of four or five representing the four great brotherhoods of the railroad employees who came to see me 30 minutes before we went into session on the morning of the day we had set to determine a schedule, and they insisted that that morning, not the next morning, but that morning, we determine to take up this bill forthwith. Aside from that we have had no urgency whatever for the consideration of this particular bill.

I want to say further. Gentlemen, I have tried to give you straight facts.

Mr. RAYBURN. Will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. RAYBURN. When I attempted to ask this question of the chairman of the committee the Speaker ruled that the gentleman from Massachusetts could not answer a question as to the action of the committee, but now the gentleman from Massachusetts has unanimous consent. Did not this bill come up in committee and was not a motion made for a specific date upon which hearings should be begun upon the bill?

Mr. WINSLOW. Yes; or virtually so, as appears in record of the committee, as follows:

Mr. BARKLEY moved that, beginning with next Tuesday, April 1, the committee proceed to hold hearings on Mr. COOPER's bill for locomotive inspectors, Mr. HOCH's resolution with reference to survey of rates, and upon the railway labor act which Mr. BARKLEY introduced.

Mr. HUDDLESTON moved as a substitute that the committee take up the Cooper bill to-morrow morning, March 27, at 10.30 a. m.

Mr. GRAHAM moved as an amendment to Mr. HUDDLESTON's substitute that the hearings on the Cooper bill begin Friday, March 28, and that in the meantime representatives of the railroads be advised in respect of the hearings, which was carried as shown by the following roll-call vote requested by Mr. GRAHAM: Ayes, 16; nays, 5.

Mr. HUDDLESTON moved to amend his substitute as amended that as the first business following the conclusion of the Cooper bill the committee take up the Hoch resolution. Carried.

Mr. BARKLEY moved to amend the substitute as amended that upon conclusion of the consideration of the Hoch resolution the next order of business shall be hearings upon H. R. 7358. Lost, as shown by the following roll-call vote requested by Mr. BARKLEY: Ayes, 9; nays 11; absent, 1.

Mr. HAWES moved to amend the substitute as amended that following the consideration of the Hoch bill the next order of business of the committee be the consideration of the truth in fabric and misbranding bills jointly. Carried, as shown by the following roll-call vote requested by Mr. HAWES: Ayes, 13; nays, 7; absent, 1.

A vote was then taken on Mr. BARKLEY's original motion as amended which was carried.

A vote was then taken on Mr. BARKLEY's original motion as amended by Mr. HUDDLESTON's substitute as amended, which was carried.

Mr. RAYBURN. Well, that is quite accurate.

Mr. WINSLOW. I will show what seems to have been the minds of the members of the committee, and I will take occasion, as long as the gentleman has brought it up, to tell you the real facts which are of importance. On the 26th of March, when we had our meeting as to procedure, we voted that the first business to be taken up would be the Cooper bill. That was a bill to provide for an increase in the number of inspectors for the Interstate Commerce Commission in order



that locomotives which are in service in the country might be looked after more carefully.

The SPEAKER. The time of the gentleman has expired. Mr. GARRETT of Tennessee. How much more time does the gentleman require? Five minutes? Mr. Speaker, I ask unanimous consent that the gentleman may have five minutes more.

Mr. MOORE of Virginia. Mr. Speaker, I ask that he may have 10 minutes.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the gentleman from Massachusetts may proceed for 10 additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WINSLOW. The Cooper bill was urged by railroad employees of all classes; it was approved by the representatives of all railroads, big and little. There was no objection to it and we passed it promptly after two or three days inquiry and rewriting the bill.

Then our committee further voted on that day to take up the Hoch resolution, which was a transportation matter and did not indicate the likelihood of much contention. It affected the establishment of a rate structure and we tackled that; we have since considered it at great length and have not quite finished it.

The next day, after two or three discussions and votes, we virtually came to a direct contest in the committee as to whether we should proceed, after spending two or three days on a general lot of bills, with the Barkley bill, so-called, or the truth in fabric and merchandising bills grouped together, and the committee voted to take up the truth in fabric and merchandising bills, because I think they had come to know that those subjects had been long before the committee and they were very much agitated throughout the country by business people, by consumers, by woolgrowers, by cotton growers, by silk manufacturers, and so on.

There were great numbers of people interested and there were great quantities of correspondence. So we voted to wind up the miscellaneous bills which we were then discussing, and then to take up the truth in fabric and merchandising bills, which we are doing now, and it was the understanding of the committee, as I remember it—and I am speaking very earnestly to that effect—that after the truth in fabric and merchandising bills came up we would reopen the whole field of possible inquiry and consideration, with the understanding that when that time came this so-called Barkley bill would come up with other transportation bills for direct consideration as to procedure.

We have never declined to give hearings on the Barkley bill, and we have never refused to have the bill considered, but we simply decided to let it go along with bills on railway matters, such as 15-A and many others, and we expected to work it out in due time; but that is a question we will have to handle on another score. I will say to the gentleman from Texas [Mr. RAYBURN] that—

Mr. BURTNESS. Will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. BURTNESS. Since the motion to establish an order of procedure with reference to bills, has not the committee met either five or six days every week?

Mr. WINSLOW. Oh, yes; they have been doing that every week for so long I can not remember when it started.

Mr. BURTNESS. Following the so-called Cooper bill, was not the next bill taken up for consideration the so-called Hoch resolution?

Mr. WINSLOW. Quite true.

Mr. BURTNESS. Which provides for a general survey of transportation questions with a view to a new rate structure, and that took several days of the time of the committee.

Mr. WINSLOW. Yes. It might be interesting to the House to know that this bill, which has been referred to by my friend from Kentucky so affectionately as considered in Senate subcommittee, after five or six days of hearings, when they shut off the hearings without allowing all the witnesses to testify, has not been heard of since by any action from the subcommittee or the general committee.

Mr. HUDDLESTON. Will the gentleman yield? The gentleman has stated he is speaking for the committee.

Mr. WINSLOW. No; I have not intentionally.

Mr. HUDDLESTON. The gentleman was understood by many of us to say that.

Mr. WINSLOW. I do not want to create that impression. I am speaking as chairman for the integrity of the members of the committee. I do not speak for them.

Mr. HUDDLESTON. And not by committee authority?

Mr. WINSLOW. No.

Mr. MOORE of Virginia. Will the gentleman allow me to ask him one question? If the gentleman does not find it inconvenient, will he not attach to his remarks a statement showing what bills reported by his committee have been considered thus far by the House; and, secondly, what bills have been reported by his committee and not yet considered by the House, always barring bridge bills, bills of a local character, and confining the statement to bills of a general character?

Mr. WINSLOW. I will try to do that.

Mr. MOORE of Virginia. And I will say to my friend—and he knows how much I respect him—that very early in the session I introduced a bill, not of any very extensive interest, perhaps, but a bill in which I have faith. I have endeavored to secure a hearing of that bill or some consideration of it for months and without success; nevertheless some interest in the bill is manifested throughout the country. The Boston Chamber of Commerce, for instance, has written to the gentleman with reference to that bill, and I think it is a measure which ought to be considered.

Mr. WINSLOW. I will say to the gentleman I think so, too, but there are about 173 others whose proponents think likewise.

Mr. MOORE of Virginia. I am afraid my friend is looking at the forest and not seeing the trees, and that we will never have any of the bills individually dealt with, with such a mass of bills pending in his committee, which it seems to be unable to handle.

Mr. WINSLOW. That is not quite the question under discussion, but I would like to say in answer to the gentleman from Virginia [Mr. MOORE] that I do see the forest and the trees, and can easily discriminate between the oak and the dogwood. [Laughter and applause.]

Mr. WATKINS. Will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. WATKINS. In view of the fact that the committee has many bills of great importance and in view of the further fact it has not time to consider even a small proportion of them, would it not be wise for the House to relieve the committee of that burden and discharge it from the consideration of this bill?

Mr. WINSLOW. That is a chestnut. We had better not get into that subject because we do not know where it will lead.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to proceed for five minutes on the Barkley bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDDLESTON. Mr. Speaker, the Committee on Interstate and Foreign Commerce has probably the widest and most difficult jurisdiction of any committee of the House. We have pending before our committee at the present time something like 200 bills. There is not the slightest chance that the committee, by sitting 10 hours every day for four years, could hold hearings on all those bills.

Congress has now been in session for four and a half months. During that time, as the calendar of the House will show, the Committee on Interstate and Foreign Commerce has not reported a single bill of prime importance. As the minutes of the committee, which have been ordered by unanimous consent to be printed in the Record, will show, we have not even held hearings on any bill of prime importance.

The most important subject in the jurisdiction of our committee is transportation, and yet, although that is the prime reason for the existence of the committee and should properly comprise the bulk of its activities, we have not yet taken up that subject during the present session of Congress.

The committee discharge rule was particularly intended for just such a situation as that which exists in the Committee on Interstate and Foreign Commerce. It was particularly designed for just such bills as the railroad labor bill, the Howell-Barclay bill. The committee has had this bill for more than 30 days, as provided by the rule. The committee, by reason of its failure to take action on that bill, is now subject to discharge under the rules of the House.

Whether or not the committee has good reason for not having considered this bill I do not care to enter into. The majority in the committee "are wise and honorable men. What private griefs they have, alas, I know not what made them do it. They are wise and honorable and will, no doubt, with reasons answer you" and their constituents. Suffice it to say that they have flatly refused to consider this bill. Here is a bill championed by the two millions of railroad employees of this country and by all of the regular organizations of workingmen. It has been referred to our committee,

and its proponents have been denied the courtesy of even a hearing. The committee, as the gentleman from Massachusetts [Mr. Winslow] admits, has definitely and pointedly refused to set any day for its hearing and consideration. There is no chance that the bill will ever come before the House except by the operation of the "committee discharge rule." It is only if Members respond to the appeal of the workers and sign the petition to discharge the committee that the bill can ever be brought before the House for consideration.

I reveal no secret when I say that this bill was prepared by the representatives of the 20 labor organizations connected with transportation, and by their advisers. The bill has been under preparation for nearly two years and has been given most careful consideration. Hearings upon the bill have already been completed by a Senate subcommittee. Those hearings are now in print and will be ready for distribution very shortly. Any Member who wants to study the bill now has the same opportunity to read the record before the Senate committee that he would have if we had held the hearings before our committee.

Not only is this bill championed by the 20 labor organizations connected with transportation but by the American Federation of Labor and every regular labor organization in this country affiliated with it. The real question now is, shall the voice of these toilers of America be stifled? The question is, shall their bill upon which they have set their hearts and which they want enacted into law be considered by the House or shall it be pigeonholed by the Committee on Interstate and Foreign Commerce?

The SPEAKER. The time of the gentleman has expired.

Mr. HUDDLESTON. I ask for two minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. HUDDLESTON. The representatives of the labor organizations had analyzed the Committee on Interstate and Foreign Commerce before their bill was introduced; they had studied its personnel; they knew the bill would never be heard; they knew that it never would be reported. There is no use pretending to the contrary. The bill was introduced with the knowledge that it would never be heard by the committee and never be reported, and that the only chance for its passage was to bring it before the House under the operation of the "committee-discharge rule." One hundred and forty Members of the House have already signed the petition for discharge. If there be 10 additional Members whose hearts warm to the call of men who labor, who do the hard, dirty, and disagreeable work of America—if there be 10 such Members, then let them show their friendship by putting their names on the petition. Let them respond and give the bill a chance to be considered in the House. Do not dodge the issue, gentlemen. That petition is a permanent record of the House, it will be circulated at a million firesides as "Labor's roll of honor." Are you a friend of the working man? I call upon those of you who profess to be to prove your faith by putting your names on the petition. That is the way you can serve him now. [Applause.]

#### STATE, JUSTICE, COMMERCE, AND DEPARTMENT OF LABOR APPROPRIATION BILL

Mr. SHREVE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8350, the Departments of State, Justice, Judiciary, Commerce, and Labor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TILSON in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

#### BUREAU OF NAVIGATION

Salaries: For the commissioner and other personal services in the District of Columbia in accordance with "the classification act of 1923," \$55,140.

Mr. BYRNS of Tennessee. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I wish to refer briefly to the Commissioner of the Bureau of Navigation and to the salary that is paid to this official. Members of the House know that I have never proposed to increase the salary of any of these higher-paid officials, and I do not propose to do so at this time, more particularly because the matter was not brought before the committee or submitted to the House in a formal manner and is not in order under the rules.

The Commissioner of the Bureau of Navigation in the Department of Commerce is Hon. D. B. Carson, who comes from Tennessee. I think the administration is to be congratulated on the fact that it has been able to secure a gentleman of such high type and such splendid executive ability as Mr. Carson to head this very important bureau in the Department of Commerce. Mr. Carson is a gentleman who has always drawn a much larger salary than that that is being paid to him as Commissioner of the Bureau of Navigation, which is only \$4,000 per annum. He took this position from a sense of public duty and in order to be able to render his Government a public service. There is not a man connected with this administration, or any other administration that we have had, who is a higher type of citizen than Mr. Carson, and he is a gentleman of great executive ability.

Under the reclassification law I understand the salary of this position will be fixed at \$5,200, which is a pretty good salary in its way but not when compared with some salaries fixed by the Reclassification Board for other positions, certainly of no greater importance than this. I can not help but feel that in the consideration of the importance of this particular position and the type of man which should be placed at the head of it, the Reclassification Board has failed to give this position the consideration which its importance deserves.

As I said, the salary of the Commissioner of the Bureau of Navigation is \$4,000 per annum. He is compelled to frequently make trips in the field on business connected with the bureau, and the per diem allowance is not sufficient to meet his actual expenses while away from headquarters in Washington. He is performing the service he is now rendering at a personal sacrifice.

Mr. McKEOWN. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. McKEOWN. Why should the United States Government not pay a man sufficient traveling expenses to keep him where he is out on business?

Mr. BYRNS of Tennessee. I think it should. I do not think the Government ought to ask any of its officials, whether high or low, to perform service for the Government at a personal financial sacrifice to themselves. I want to refer briefly to what Mr. Carson has done since he has been Commissioner of Navigation in the interest of the service and in the interest of the Government. The commissioner has recently proposed the collection of fees for services to vessels and in connection with the enforcement of navigation laws which would aggregate more than 25 per cent in the cost of the operation of our vessels.

Some months ago he made a thorough investigation of the harbors and prepared an extensive report pointing out the economies which could be effected amounting to approximately \$400,000 per annum if put into effect.

As I stated, the commissioner of this bureau has under his direct supervision a very large force of men employed on navigation work at the various ports in the United States, and it is absolutely necessary, if the commissioner expects to be able to render the service that he ought to render, and to have that supervision of this large force that he ought to have, for him to visit these ports frequently. He must do so in order to be able to render such service as the people have a right to expect him to render.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Recently there has been transferred from the Navy Department to the Bureau of Navigation the settlement of international radio accounts, involving the handling of over \$500,000 in settlements and the taking over of an additional force. It is also proposed to transfer the personnel engaged in the admeasurement of vessels from the Treasury Department to the Bureau of Navigation, which, of course, will increase materially the duties and responsibilities of the Commissioner of Navigation. The work in connection with radio has increased to a large extent during the past three years and is increasing daily, as we all know. There is employed a large number of inspectors throughout the country in the examination of the various broadcasting stations, which are steadily increasing in number, and it is also the duty of such inspectors to examine the instruments on various steamships in order to see that such instruments are in perfect working condition before sailing. In addition to his present duties, there is now pending in Congress a bill which, if it



becomes law, will transfer to the Bureau of Navigation the Steamboat Inspection Service.

In the same bill it is also provided that certain functions of the United States Shipping Board, which it is proposed to transfer to the Commerce Department, may become a part of the Bureau of Navigation. I cite this to show the very great importance of this particular bureau in the Department of Commerce, and the importance of having at the head of this bureau a man of the highest type and the greatest possible efficiency. You can not usually expect to get a man of that type and that efficiency to take charge of these very important duties and this large force and assume this great responsibility for the salary now being paid to the Commissioner of Navigation.

The duties of this position are highly specialized and technical, requiring an intimate knowledge of the code of navigation laws and a general knowledge of similar laws of other maritime nations. The decisions rendered directly affect vast public interests, the decisions under an administration of the mortgage act of 1920, for instance, affecting hundreds of millions in value, the prompt movement of water commerce, the safeguarding of the lives of millions of people using this means of transportation, extending to our vessels all possible benefits under the admeasurement laws, and administering the numerous laws for the benefit of seamen, both at home and abroad; also, the operation of a patrol fleet and the administration of the wireless laws, which amounts to the work of a bureau in itself. There can be no proper conception of the Bureau of Navigation work unless it is clearly understood that approximately one-third of the entire customs service of the country works under the direction of and in the administration of laws under the jurisdiction of the Commissioner of Navigation, this force being in addition to those estimated for directly by the bureau. Adequately to perform these duties requires a comprehensive grasp of the economic and industrial changes as they affect shipping and seamen here and abroad, and in the wireless communication field, that the commissioner may be prepared, as required by law, to draft legislation to meet the exigencies of the service.

Mr. Chairman, I have taken this time simply to call attention to the importance of the splendid work being rendered by Commissioner Carson. As I stated, it is not my purpose to offer an amendment to increase his salary, because it would not be in order under the rules of the House, and, in addition to that, it has never been brought properly to the attention of the committee from the Budget Bureau. I make this statement in the hope that the Reclassification Board, which has fixed higher salaries for chiefs of bureaus of certainly no greater importance than that of the Bureau of Navigation, may consider this matter and do justice to this position—not simply to the gentleman who now heads it, but in justice to the position itself, because this, I repeat, is one position in this Government among a number of others which should be paid a reasonably good salary in order that the Government may get just the type of man that the administration is now so fortunate in having at the head of this bureau. [Applause.]

The Clerk read as follows:

Admeasurement of vessels: To enable the Commissioner of Navigation to secure uniformity in the admeasurement of vessels, including the employment of an adjuster of admeasurements, purchase, and exchange of admeasuring instruments, travelling, and incidental expenses, \$4,500.

Mr. HOWARD of Nebraska. Mr. Chairman, I rise to a legislative inquiry. On Tuesday of this week I asked unanimous consent that the House should adjourn over Good Friday. It was objected to by the administration leader. Thereupon I made the request that he should provide the House with the presence of a quorum on this Good Friday. He said he would. That is all.

The Clerk read as follows:

Preventing overcrowding of passenger vessels: To enable the Secretary of Commerce to employ, temporarily, such persons as may be necessary, of whom not more than two at any one time may be employed in the District of Columbia, to enforce the laws to prevent overcrowding of passenger and excursion vessels, and all expenses in connection therewith, \$14,000.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. This is an appropriation of \$14,000 to be used by the Secretary of Commerce. Can he apply any part of that appropriation to pay inspectors or attorneys? How is he to employ men to enforce the law in regard to the overcrowding of steamers and excursion boats?

Mr. SHREVE. Under this appropriation certain men are maintained in the service whose business it is to stand on the

plank when the ship is being loaded with passengers, and with a counting machine ascertain how many people are going on the ship. They know also the number of people that the law allows the ship to carry. When that number is on the ship, then they close the doors and no more are allowed to go aboard.

Mr. WATSON. The appropriation is only for temporary employment?

Mr. SHREVE. It is only temporary. Originally there were 45 men employed, but owing to the increased excursion business, particularly around the ports of Philadelphia and New York, we had to increase the number up to 51.

Mr. WATSON. There are over 10,000 miles of coast line. How is it possible for 45 men to take care of all excursion boats, which includes not only small but large vessels?

Mr. SHREVE. The customs service works in conjunction with these people. There is a sort of comity between them for cooperation in this matter. Besides, in another portion of the bill patrol boats are taken care of.

Let me say that sum is not sufficient, but it does a great service. These men are used in the great, populous centers, where the need is great, where the people are likely in a few minutes to greatly overload the vessel—are rushing on 1,000 and 2,000 more than the boat is allowed to carry.

Mr. WATSON. There are a number of places where only small boats are in service. Accidents frequently occur on these waters.

Mr. SHREVE. We would like to overcome that if we could.

Mr. ACKERMAN. I will say the hearings show there were 924 counts made and the number counted was 6,143,441 passengers.

Mr. WATSON. I note within two or three years there have not been as many accidents on excursion boats as previously.

Mr. McKEOWN. Mr. Chairman, I rise to oppose the pro forma amendment. I would like to ask the Chairman if there is any provision whereby the steamship companies refund or pay the charges charged for this service?

Mr. SHREVE. No.

Mr. McKEOWN. I want to call the attention of the committee to this fact, that the Government of the United States renders enormous service to individuals through the country for which no charge is made. If the Congress of the United States, in my judgment, would appoint some committee of the House to study these departments to ascertain where reasonable charges could be made for services rendered, a very large revenue would result. Now, there is no reason why the Government should maintain many of the beneficent services that it does and give services for the benefit of individuals free. They should pay something for those services. Now these departments are constantly called upon for services that are simply beneficial to the applicant as an individual and if the Congress would make provision to charge a small fee, a reasonable fee, you would be astounded at the enormous amount of revenue that would be drawn into the United States Treasury. Now there is no reason why the steamship company should not pay something for this service. There is no reason why when an oil company in Oklahoma wants a certified copy of a lease in the department down here for its own special benefit and use that it should not pay the Government for that service. Now we have a provision in the Interior Department as to many instrumentalities that are in the department, and there are many departments of this Government rendering service every day requiring the employment of an unusually large clerical force whereby a small fee could be paid for the service rendered. It is true the Government is not run to make money, but there are many things where if we would charge a reasonable fee a great lot of money would be paid in and help to pay the cost of these clerks. Now we are constantly talking about the increase of clerks, increase of employees in the Federal Government, and there are an enormous number of people employed, but when you come to figure out the enormous services that the Government renders, free services to the public and individuals, then you can see where it becomes necessary to have an unusually large number of employees. We either ought to do one of two things. We ought to commence to curtail the great widespread services that are being given, and if we can not, then we ought to inaugurate a reasonable fee to be charged for these services. I just wanted to call this to the attention of the committee. I withdraw the pro forma amendment.

The Clerk read as follows:

Equipment: For apparatus, machinery, tools, and appliances used in connection with buildings or work of the bureau; laboratory supplies, materials, and supplies used in the construction of apparatus, machinery, or other appliances, including their exchange; piping, wiring, and con-

struction incident to the installation of apparatus, machinery, or appliances; furniture for laboratories and offices, cases for apparatus, \$71,000.

Mr. SHREVE. Mr. Chairman, I ask unanimous consent to change the semicolon in line 3, page 61, at the end of the word "bureau," to a comma. This is current law.

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

The Clerk read as follows:

Contingent expenses: For fuel for heat, light, and power; office expenses, stationery, books, and periodicals, which may be exchanged when not needed for permanent use; traveling expenses (including expenses of attendance upon meetings of technical and professional societies when required in connection with standardization, testing or other official work of the bureau); street-car fares not exceeding \$100; expenses of the visiting committee; expenses of attendance of American member at the meeting of the International Committee of Weights and Measures; supplies for operation, maintenance, and repair of passenger automobiles and motor trucks for official use, including their exchange; and contingencies of all kinds, \$44,500.

Mr. SHREVE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Committee amendment offered by Mr. SHREVE: On page 61, line 9, strike out the word "contingent" and insert in lieu thereof the word "general."

Mr. SHREVE. This is an error. We have another contingent appropriation, and this is for general expenses.

The question was taken, and the amendment was agreed to. The Clerk read as follows:

Testing structural materials: For continuation of the investigation of structural materials, such as stone, clays, cement, etc., including personal services in the District of Columbia and in the field, \$230,000: *Provided*, That as much of this sum as necessary shall be used to collect and disseminate such scientific, practical, and statistical information as may be procured, showing or tending to show approved methods in building, planning, and construction, standardization, and adaptability of structural units, including building materials and codes, economy in the manufacture and utilization of building materials and supplies, and such other matters as may tend to encourage, improve, and cheapen construction and housing.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. I notice you have an appropriation of \$230,000 for the purpose of investigating building material. Now, to whom is this information disseminated, if the gentleman knows?

Mr. SHREVE. This information is disseminated first by the Bureau of Standards. They compile it and then put it in the hands of the document room, and most of that information is sold. It is in book or pamphlet form, and can be found in the document room.

Mr. McKEOWN. A charge is made?

Mr. SHREVE. A charge is made. I will say to the gentleman there is considerable revenue coming back. Following the suggestion the gentleman made a moment ago in regard to economy in this particular instance, we are getting back the cost of this material.

Mr. McKEOWN. That is my idea; if we are to spend this money to make the investigation, this information ought to be worth something to the man who wants it.

Mr. SHREVE. That is correct.

Mr. McKEOWN. I withdraw the pro forma amendment.

The Clerk read as follows:

Testing miscellaneous materials: For testing miscellaneous materials, such as varnish materials, soap materials, inks, and chemicals, including supplies for the Government departments and independent establishments, including personal services in the District of Columbia and in the field, as authorized by law, \$45,260.

Mr. SHREVE. Mr. Chairman, I ask leave to make a correction. In line 14, page 63, correct the spelling of the word "Government."

The CHAIRMAN. Without objection, the correction will be made. There was no objection.

The Clerk read as follows:

Standard material: For purchase, preparation, analysis, and distribution of standard materials to be used in checking chemical analyses and in the testing of physical measuring apparatus, including personal services in the District of Columbia and in the field, \$10,000.

Mr. SHREVE. Mr. Chairman, I ask leave to change a word on line 11 of page 68. "Material" should be in the plural. It should be changed to "materials."

The CHAIRMAN. Without objection, the Clerk will be authorized to make the correction.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

During the fiscal year 1925 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the Bureau of Standards on scientific investigations within the scope of the functions of that bureau, and which the Bureau of Standards is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Commerce, transfer to the Bureau of Standards such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Bureau of Standards for the performance of work for the department or establishment from which the transfer is made.

Mr. WHITE of Kansas. Mr. Chairman, I would like to ask the chairman of the subcommittee if he can tell us what are the "fundamental problems involving industrial developments following the war"? That language is found on page 67, line 9, which we have passed over. I note in that paragraph an appropriation in the considerable sum of \$173,820 is made. Is it for any technical development of any kind? Does the gentleman know what is contemplated?

Mr. SHREVE. This has reference largely to matters that developed during the war, the technical investigation of fundamental problems. We took this matter up very carefully with Mr. Burgess, the Director of the Bureau of Standards, and I propounded to him this question:

Mr. SHREVE. Here is a larger item for technical investigations and cooperation with the industries upon fundamental problems involved in the industrial development following the war, etc. That is an increase of \$30,000. What are you doing under that appropriation, and what do you propose to do?

Mr. BURGESS. Regarding the increase on that, Mr. Chairman, the net increase is about \$6,000, the rest of it being taken up on reclassification. We have some thirty-odd problems coming under that investigation, which of course is our fund which brings us in very close contact with a very considerable number of American industries. One, for example, is the question of the utilization of gas.

Mr. TINKHAM. That is a new American industry, is it? In other words, I want to bring out, if possible, what you mean by "new American industries."

Mr. BURGESS. The gas industry, I will agree with you, would hardly be considered as a new industry. We have interpreted this appropriation to be available for industrial research on problems which should be answered by a Government agency involving experimental work, where the industry was in such a situation that it needed us. In that sense it is new. For example, the gas industry is to-day in a situation that we are up against the case of a good many deaths due to the use of gas appliances, the situation being due to the coal situation a year or so ago. More and more gas appliances are being used. The proper development of the design of those gas appliances, the testing of them, and the proper use of gas in connection with household use, we thought was of sufficient urgency to go into this type of a problem. It is new in that sense, that the problem was relatively an insignificant one up until the recent coal situation, but it is now a very vital problem and of great public interest.

Mr. TINKHAM. It seems to me that the word "new" there is not very graphic.

Mr. BURGESS. You mean in this particular item?

Mr. TINKHAM. In this particular item.

Mr. BURGESS. That interpretation of the word "new" is subject, of course, to a difference of opinion.

Mr. SHREVE. It is new in the sense that it has never been considered before, isn't it?

Mr. BURGESS. Yes; in that sense. Take, for example, another item that we have been working on, the question of the performance and characteristics of batteries. The battery industry as such is in effect a new industry. Batteries were made, of course, before the advent of the automobile and the use of batteries more generally elsewhere. We have been able to save, for example, in this battery investigation—there is no question about it—a very large sum indeed to the country. The question of determining the specifications, the best types of batteries, the problems of batteries, their use for different purposes, the use of the characteristics of the acid involved, and the different metals going to make up the plates, that all makes for the economy of operation.

Mr. OLIVER. In other words, the conditions which you have detailed show the necessity of a study of this subject at this time?

Mr. BURGESS. Yes. Here is another one I might mention, the question of the properties of ammonia. The refrigeration industry, as industries go, is fairly a new industry. We have been able to determine



at the bureau the complete properties of ammonia. That has just been finished. It is on one sheet of paper. We can by curves graphically get everything that can be known about ammonia that is of interest to the refrigerating industry. That has just been completed.

Mr. TINKHAM. But that is not a new industry. It is a development of an old one.

Mr. BURGESS. Yes; if you emphasize the word "new," Mr. Tinkham, I agree with you, and I would have some difficulty in making an argument. You take the question of dye investigation. There, again, I think I would agree that, although clothes have been dyed ever since man has existed, pretty nearly that, nevertheless the dye industry in this country is a new industry.

Mr. TINKHAM. I think probably that would be true.

Mr. DRAKE. Do you think it would be advisable to make that word "newer"?

Mr. TINKHAM. Oh, of course, there is no necessity for that.

Mr. SHREVE. We will not be technical about that.

Mr. BURGESS. On the dye investigation we are working on the improvement and standardization of dyes in that connection. We are putting some of this fund into optical instruments, for example. Again, that is a new industry in this country, unquestionably, and that we are working at. Another item that has come up recently for the industry does not exist in this country practically, which we are working on, has a technical name of dielectric losses in cables. The cables up to the present time have all been manufactured in England, and they practically own the cable business. It is highly desirable for us to have a cable industry in this country. We have been working on the characteristics of gutta-percha substitutes and rubber modifications and the electric phenomena concerned.

Mr. TINKHAM. That is, submarine cables?

Mr. BURGESS. That is mainly submarine cables. That is practically a British industry at the present time. The question of high voltage investigations is treated under this appropriation. Here again, although the electric industry is an old one, the question of the very high voltages is relatively new in this country, and particularly in certain parts of it.

Mr. TINKHAM. Do you call very high voltages anything above 25,000?

Mr. BURGESS. I think that is a general acceptance. Even 10,000 is ordinarily considered high, and they run up now to over 100,000; but high voltages I would rate as between 1,000 and 100,000.

Mr. TINKHAM. We have quite a number of electric trunk lines that carry 52,000 volts, have we not?

Mr. BURGESS. Yes. Of course, in arid regions in California they have been highly developed, but the thing is to develop them in the nonarid regions.

Mr. TINKHAM. I think in Boston we have some main trunk lines which carry as high as 52,000 volts.

Mr. BURGESS. There is an industry which I want to mention, which we are putting in a little from this fund—the electroplaters industry. That industry has been in a purely empirical situation since metals were deposited from liquid. We have been able practically, in part at least, as far as copper plating is concerned, to put that industry on its feet. So we do know what we are doing when making a copper deposit. We are working on nickel and other materials at the present time. In other words, this is a particular industry that we have been able, so to speak, to bring out of the woods.

Mr. TINKHAM. Using the words "new American industries," how long will you need this appropriation, if you can state, as a continuing appropriation, with reference to the so-called "New American Industries"?

Mr. BURGESS. Perhaps I should say the wording is not the best possible, but I consider that the work is of the greatest fundamental interest to American industry and of the greatest benefit to the American public.

Mr. TINKHAM. And should be, so far as you can see, continuous?

Mr. BURGESS. Most emphatically, because there are new phases coming up constantly. The projects under this appropriation are all definite projects, and continue until we have that project completed, and then we take up something else. I might cite another type of problem that we have under this, and that is in connection with metals and gases. We do not ordinarily think of metals as containing gases, but they do; and the effect of gases on metals in my opinion is one of the most important, and will be in the next few years determining factors in the quality of metals. We are working on this appropriation in connection with that method of determining the presence of gases in metals, the method of detecting them, and the method of eliminating them. That in effect makes a new industry really—the production of steel as related to the elimination of entrained gases.

Mr. WHITE of Kansas. I am heartily in accord with the purpose of the appropriation sought to be secured, and I feel enlightened by the statement of the chairman of the subcommittee. Of course we have established many hundreds of new industries where we have the natural resources. I am heartily in favor of it. I was wondering what the specially

new industries were, and the gentleman has answered my question.

Mr. SHREVE. The committee raised the question as to what was meant by new industries. They have, of course, to deal with both new and old industries. For example, the battery industry is a new industry. Improvements have been made in electric batteries, especially those made for the use of automobiles. Dyes, of course, were used before this investigation, and the same with respect to other things. Possibly the term "new industries," as I understand it, would be applicable to all these conditions.

Mr. WHITE of Kansas. The gentleman's answer is satisfactory. I was simply desirous of knowing.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

General expenses: For supplies, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks and purchase of land for same; establishment of post lights, buoys, submarine signals, and fog signals; establishment of oil or carbide houses, not to exceed \$10,000: *Provided*, That any oil or carbide house erected hereunder shall not exceed \$550 in cost; construction of necessary outbuildings at a cost not exceeding \$500 at any one light station in any fiscal year; improvement of grounds and buildings connected with light stations and depots; restoring light stations and depots and buildings connected therewith: *Provided*, That such restoration shall be limited to the original purpose of the structures; wages of persons attending post lights; temporary employees and field force while engaged on works of general repair and maintenance, and laborers and mechanics at lighthouse depots; rations and provisions or commutation thereof for keepers of lighthouses, working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Lighthouse Service on duty on board of such tenders or vessels, and money accruing from commutation for rations and provisions for the above-named persons on board of tenders and light vessels or in working parties in the field may be paid on proper vouchers to the person having charge of the mess of such vessel or party; reimbursement under rules prescribed by the Secretary of Commerce of keepers of light stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them, not exceeding in all \$5,000 in any fiscal year; fuel and rent of quarters where necessary for keepers of lighthouses; purchase of land sites for fog signals; rent of necessary ground for all such lights and beacons as are for temporary use or to mark changeable channels and which in consequence can not be made permanent; rent of offices, depots, and wharves; traveling expenses; mileage; library books for light stations and vessels and technical books and periodicals not exceeding \$1,000; traveling and subsistence expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses; all other contingent expenses of district offices and depots; and not exceeding \$8,500 for contingent expenses of the office of the Bureau of Lighthouses in the District of Columbia, \$4,192,500.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. BRIGGS. I would like to ask the chairman of the subcommittee if the amount carried here under the item of "general expenses" is the amount allowed and carried in the appropriation bill last year for that same purpose?

Mr. SHREVE. I will say to the gentleman that the Budget Bureau made a serious cut under the estimate of the Lighthouse Bureau—\$140,000 in this item—and I am happy to say to the gentleman that the committee restored this item.

Mr. BRIGGS. I am glad you did, in view of the need of the Lighthouse Service and the great functions which it performs. Now, on page 73, anticipating somewhat, there is another cut made in that item under the head of "public works." I would like to know why it was done by the committee.

Mr. SHREVE. We made a restoration there, which was referred to in the opening remarks of the chairman. I think we restored about \$60,000.

Mr. BRIGGS. What was the other portion which was not restored?

Mr. SHREVE. Some new ships.

Mr. BRIGGS. But this provision that you have restored renders possible new work for necessary navigation aids to be carried on in the coming fiscal year?

Mr. SHREVE. We felt that it was sufficient to allow the bureau to function as it has done in the past, and that the

work will be kept up of the same character as it has been maintained for past years.

Mr. BRIGGS. You thought this would provide the amount necessary for all new navigation aids?

Mr. SHREVE. Yes. That was our intention.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Public Works: For constructing or purchasing and equipping light-house tenders and light vessels for the Lighthouse Service as may be specifically approved by the Secretary of Commerce not to exceed \$100,000, and for establishing and improving aids to navigation and other works as may be specifically approved by the Secretary of Commerce, \$473,000; in all, \$573,000.

Mr. JOHNSON of Washington. Mr. Chairman, I offer an amendment to the paragraph.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 73, line 4, after the word "exceed," strike out "\$100,000" and insert in lieu thereof "\$200,000."

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen of the committee, this is an amendment to add \$100,000 for the use of the public works in connection with the construction, purchase, and equipment of lighthouse tenders, and other aids to navigation. The Budget Bureau slaughtered the Lighthouse Service to a considerable extent. The committee of which the distinguished gentleman from Pennsylvania [Mr. SHREVE] is chairman restored a part of the sums requested, but not enough.

In my opinion this additional sum is needed, and needed badly. It is for aids to navigation in all waters. Part of it should be spent in the Pacific Northwest. The district which I have the honor to represent here is nearly surrounded by several hundred miles of navigable water. The Columbia River runs on one side of my district for 200 miles, navigable for 140 miles, or until you reach the Cascade Locks, and is navigated by deep sea vessels for most of that distance. Fifty miles from the great city of Portland, Oreg., toward the Pacific Ocean, on the Columbia River, in the State of Washington, there has been established a new city, which in a year's time has grown from no persons to a population of perhaps 10,000 or 12,000 souls. The prediction is made that in a few years there will be 50,000 or 60,000 persons there. The Long-Bell Lumber Co., of Texas, Arkansas, Mississippi, and Missouri, are moving their holdings to that new city. Big vessels go and come from all parts of the United States and of the world. They depart loaded with great cargoes of lumber, so that aids to navigation are needed and lighthouse equipment of the kind mentioned in this paragraph is needed.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes; certainly.

Mr. MILLER of Washington. There are other large concerns which have gone in there?

Mr. JOHNSON of Washington. Yes, many of them, and at Vancouver, Wash., and elsewhere.

Mr. MILLER of Washington. The Kansas City Coal & Coke Co., which is a company of immense proportions?

Mr. JOHNSON of Washington. Yes. A little of the additional money will be used to help Vancouver, Wash., and Portland, Oreg., but the Columbia River only participates in a part of this, and the amount should be \$500,000. The amendment we are offering to the paragraph of the bill affects improvements of this kind in all parts of the United States. We have ocean commerce, the Pacific coast, the Texas coast, and the Atlantic coast, and even places on the big navigable rivers.

You must remember that the Pacific Northwest is a comparatively new country, but it is growing very fast and developing rapidly in a commercial way. But it is woefully in need of every kind of aid to navigation.

Mr. McKEOWN. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. McKEOWN. How much is it anticipated will be required out of this sum?

Mr. JOHNSON of Washington. I am not able to say exactly, but it will probably provide for one lighthouse tender, which is badly needed in that river, and also provide for other harbors, some navigation aid for Grays Harbor and Willapa Harbor.

Mr. McKEOWN. Your shipping is increasing very rapidly?

Mr. JOHNSON of Washington. Oh, yes; by leaps and bounds. I would like to say for the information of those here

that it is really sad for those of us who live in the far northwest corner of the United States that we are forced to compare our aids to navigation with those of our sister country of the north, across the Strait of Juan de Fuca, British Columbia, a great and growing Province of Canada. Although they have far less people than we have they pay much more attention to lighthouses and other aids to navigation. They want the world's ships.

Mr. HAWLEY. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes; I yield.

Mr. HAWLEY. Is it not true also that the recent dredging of the channel in the Columbia River has located the channel in places where it did not run before, and that these places cover many miles which have never been marked with lights or aids to navigation?

Mr. JOHNSON of Washington. Quite so—neither lights nor buoys, and they are badly needed.

Mr. MADDEN. Mr. Chairman and gentlemen, it is very natural that gentlemen representing different sections of the country will ask for what they think they ought to have for activities in their localities.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. JOHNSON of Washington. I want to say it is not only natural, but quite right.

Mr. MADDEN. Yes; I do not deny the right, and it is very natural. But there is an orderly way of procedure, and we have been proceeding in that orderly way. The only thing which came before the Committee on Appropriations was a recommendation of \$511,500 for the activities referred to in the amendment offered by the gentleman from Washington, and the committee recommended a total of \$573,000. The \$511,500 is made up as follows—but before giving the items let me state this. Mr. Putnam said:

Would the committee like any further information about the 10 items that are specified here for public works?

The chairman of the subcommittee said:

I think you put these in the record last year. I will ask you to do this, to give us the items for the record where you propose to use this money this year.

Mr. Putnam said this:

I might say this list has been selected to cover the most urgent items out of a much larger list recommended by our district officers and the shipping interests, and they are arranged in what we consider their relative importance.

The items making up the \$511,500 are as follows:

Lighthouse vessels	\$100,000
Cape Spencer Light Station, Alaska	99,000
Depot, second Lighthouse district	53,200
Aids to navigation, Fairport Harbor, Ohio	20,300
Aids to navigation, Galveston Bay and Houston Channels, Tex.	100,000
Aids to navigation, Ludington, Mich.	20,000
Radio fog signals	21,000
Aids to navigation, inland waterway, Norfolk, Va., to Beaufort Inlet, N. C.	25,000
Aids to navigation, Sandusky Bay, Ohio	23,000
Aids to navigation, Washington, Oregon, and California	50,000

Now, Oregon, Washington, and California under this distribution are getting their fair proportion of the amount.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. JOHNSON of Washington. I will ask the gentleman to remember that the Oregon, Washington, and California ocean coast line represents 2,000 miles, and it is the equivalent of many States on the Atlantic coast, while the sum provided for that great coast line is a mere trifle.

Mr. MADDEN. I realize that, but there are other places where the ocean coast line is long and important.

Then there is such a thing as there being a limit to the amount that can be expended for given activities. It must be realized that everybody in the United States is demanding economy while everybody in different sections of the United States is demanding additional appropriations. Take the different sections of the country, and when they join in the aggregate they demand economy, but when different sections are segregated they demand extravagance. So there is only one safe policy to pursue, and that is to make the policy nation-wide and in the aggregate and not in segments.

It is true, of course, that you can spend more money every day everywhere, but everybody is demanding that we shall spend less. Now, are we going to spend less or are we going to spend more?

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. MADDEN. Yes.



Mr. JOHNSON of Washington. Aids to navigation come a little bit outside of the pinch of economy. We can pile one Shipping Board vessel up in the mouth of the Columbia River and lose more money in a jiffy than you are trying to save here.

Mr. MADDEN. But who is the one to decide this question?

Mr. JOHNSON of Washington. Congress is obliged to determine it.

Mr. MADDEN. Congress finally acts, but that question has not been determined here and it has not been given the kind of consideration that justifies affirmative action. It ought not to be considered seriously until it has been considered elsewhere and until the question of finances is given the kind of consideration that the public sentiment of the Nation demands.

I hope the amendment of the gentleman from Washington [Mr. JOHNSON] will not prevail. I would like to be able to favor what the gentleman wants and what every other gentleman wants, but we are charged here with the responsibility of conserving and not destroying the public financial integrity.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. JOHNSON of Washington. I have been in Congress 12 years.

Mr. MADDEN. So have I, and several more.

Mr. JOHNSON of Washington. In all that time I have been able to secure an authorization for but one public building; that was 10 years ago, and to this day I have not received the authorized appropriation, or any part of it.

Mr. MADDEN. Neither have I.

Mr. JOHNSON of Washington. Or anything of that nature, but have striven hard all the time for aids to navigation and by tremendous effort have secured in that enormous territory half a dozen lighthouses, and does anybody regret that?

Mr. MADDEN. When the gentleman talks about not getting a public building, I want to say this to him: I come from a city of over 3,000,000 people, where we have \$50,000,000 of annual postal receipts, and where we have been handling the mail on the sidewalk for 12 years. We have not been able to get a building and we are not so unreasonable that we demand the impossible. We are willing to help.

Mr. JOHNSON of Washington. I have not been demanding that, either. I have had an authorization for a building for 10 years.

Mr. MADDEN. When the gentleman says he can not get it he is no differently situated from any other Member of this House.

Mr. JOHNSON of Washington. The reason is because I impress the importance of the things most needed for the most people.

Mr. MADDEN. Nobody gets all that they want.

Mr. MacLAFFERTY. Mr. Chairman, I move to strike out the last word.

Mr. MADDEN. I am not through yet.

Mr. MacLAFFERTY. I beg your pardon. The gentleman was talking about public buildings and I thought he had quit.

Mr. MADDEN. No; I have not quit. I say nobody gets all that he wants, and why should the gentleman from Washington be an exception, or the gentleman from California? Everybody knows there is a great dearth of public buildings for the transaction of the public business, but everybody also knows that if you undertake a public building program you will do it at the expense of the taxpayers and you will only get 50 cents worth of work for every \$1.50 you pay out, and the time is not ripe to begin that, and it will not be ripe until the people themselves have got through with their building program to establish housing facilities for themselves. It would be a crime for the Government to enter upon a program in competition with the citizens who maintain the Government when the citizens have been struggling along at high prices to build roofs over their heads. All you will do, if you carry on the program that you outline, will be to make the cost to the people twice what it is, without accomplishing any purpose whatever.

Mr. MacLAFFERTY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen, to trip lightly from London to Paris, or in other words, from public buildings back to the little matter in hand, which has been mentioned in the amendment offered by the gentleman from Washington. I know the coast that it is proposed to protect by this amendment. I know it very well indeed, and in listening to my friend from Illinois proclaiming the necessity for economy—and he is right—I am wondering if, after all, it is economy when I remember how the steamship *Valencia*, a few years ago, because

of inadequate lights on the coast off the State of Washington, went ashore at a sacrifice of 136 lives.

Mr. MADDEN. And there were a lot of destroyers went ashore without any reason whatever.

Mr. MacLAFFERTY. Yes.

Mr. WATKINS. All the more reason for the appropriation.

Mr. MADDEN. That was without any reason whatever.

Mr. MacLAFFERTY. That is true.

Mr. MADDEN. You do not say anything about the lives lost on them.

Mr. MacLAFFERTY. The district that it is proposed to protect here we in this House well know, as has been said, covers in the neighborhood of 1,500 miles, and we ask the protection that this House can give by raising this figure so that it is permissible to expend not more than \$200,000. The bill reads \$100,000, and if we who happen to live in that far section of our country—and there are mighty few of us—did not stand on this floor on an occasion such as this and try to impress upon you the necessity for saving American lives and American property we would be remiss in our duty. I do not propose to branch off into a discussion of public buildings, although I could talk about that; but this is a very important thing to us and we are here as the mouthpieces of that far section of our country and we want you to help us protect the lives of our people and the property of the American people.

Mr. MADDEN. Will the gentleman yield?

Mr. MacLAFFERTY. Yes; I yield.

Mr. MADDEN. I did not start the public building discussion.

Mr. MacLAFFERTY. Neither did I.

Mr. MADDEN. The gentleman from Washington started it and I just answered what he had to say about not being able to get something.

Mr. JOHNSON of Washington. What I undertook to say was that I was waiving those claims for appropriations of more vital and more general importance, and seem to have started the distinguished gentleman into action.

Mr. MADDEN. The gentleman would not have got the other, anyway.

Mr. JOHNSON of Washington. Maybe not.

Mr. WATKINS. Mr. Chairman and gentlemen of the committee, we are all for economy, but economy sometimes might be designated penny-wise and pound-foolish, and whenever lives are at stake or whenever property is in danger, if you can use a little money to save life or property, I claim it is a judicious investment, and not only that but it is the duty of this House.

I notice that the Appropriations Committee frequently cuts down an appropriation that the Budget has recommended, but usually whenever you want to go over that which the Budget has recommended it says, "Oh, no; stay within the Budget."

Mr. MADDEN. Will the gentleman yield?

Mr. WATKINS. Do you not frequently cut down the Budget?

Mr. MADDEN. We do, and it is our business to cut down when we have the facts to justify it.

Mr. WATKINS. With reference to whether the matter is justified I want to read the committee a statement which comes from the Commissioner of Lighthouses in the Bureau of Lighthouses, Department of Commerce, Mr. G. R. Putnam. It is as follows:

Regarding the need of additional aids to navigation on the Columbia River, I have to advise you that this subject has been given careful consideration, and a preliminary study has been made of desirable improvements in lights and other marks for this river between Portland and the sea. The Lighthouse Service considers that such improvements are desirable and justified by the traffic on this river, but funds are not available to permit taking up this work at the present time. I have pleasure in advising you, however, that it will be given due consideration in connection with the preparation of the next estimates to be submitted for the Budget.

That shows that it has been considered, and in view of the traffic and in view of the safety of human life, we ask for the approval of the amendment. I am saying to you that the Columbia River is the second largest river in the United States, and upon that river is located a city and seaport seventh in size in exports in this great country, and the customs district is fourth of all the customs districts of this great country.

Mr. GRIFFIN. Will the gentleman state where that statement was made that he just read?

Mr. WATKINS. That statement was from a letter to me dated February 29, 1924, and signed by Mr. Putnam, the Commissioner of Lighthouses.

Mr. RAKER. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. RAKER. Did the facts as stated in the letter get to the Budget or the Committee on Appropriations?

Mr. WATKINS. I am not able to say, but I do know this: I have been informed that last year the Budget and the Appropriation Committee gave \$713,000 for this work.

Mr. MADDEN. That is true, I think, or it may be more, if the gentleman will permit; but we gave more this year than they asked for, \$64,000 more than they asked for.

Mr. WATKINS. You should have given \$164,000 more than they asked for, for the traffic justifies it. The vessels entering that port have increased 304 in 1923 over 1922.

Mr. ACKERMAN. Will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. ACKERMAN. Seventy-five thousand dollars was all they asked for for the project, and we have given them \$64,000.

Mr. WATKINS. Why did you not give them \$75,000?

Mr. ACKERMAN. The economy problem entered into it.

Mr. WATKINS. You are going to endanger human life, you are going to endanger property, you are going to endanger the traffic on the second largest river in the United States because you fail to appropriate money enough to save and protect human life and property. Why do I say that human life and property may be endangered? Because of the increase of traffic in that district, because of the loss of human life in the past, because of the loss of property in the past. The Commissioner of Lighthouses says it is justified.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. JOHNSON of Washington. Ships come to these north Pacific ports from all over the world and from all parts of the United States.

Mr. WATKINS. Certainly. Every flag under the sun and from every port in the universe.

The CHAIRMAN. The time of the gentleman from Oregon has expired. The question is on the amendment offered by the gentleman from Washington.

The question was taken; and on a division (demanded by Mr. MADDEN) there were 34 ayes and 31 noes.

Mr. MADDEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. JOHNSON of Washington and Mr. MADDEN as tellers.

The committee again divided; and the tellers reported that there were 45 ayes and 54 noes.

So the amendment was rejected.

The Clerk read as follows:

#### COAST AND GEODETIC SURVEY

For every expenditure requisite for and incident to the work of the Coast and Geodetic Survey, including maintenance, repair, or operation of motor-propelled or horse-drawn vehicles for use in field work, and for the purchase of surveying instruments, including extra compensation at not to exceed \$1 per day for each station to employees of the Lighthouse Service and the Weather Bureau while observing tides or currents, and the services of one tide observer in the District of Columbia at not to exceed \$1 per day, and including compensation, not otherwise appropriated for, of persons employed in the field work, and commutation to officers of the field force while on field duty, at a rate not exceeding \$3 per day each, to be expended in accordance with the regulations relating to the Coast and Geodetic Survey prescribed by the Secretary of Commerce, and under the following heads:

Mr. GRIFFIN. Mr. Chairman and gentlemen of the committee, thirteen years ago there was installed in the Coast and Geodetic Building, across the way from the House Office Building, a device of marvelous intricacy and of great value not only to the Coast Survey but to the people of the entire country and perhaps to the world. The device in question is called a tide-predicting machine. It is an aggregation of wheels and levers, cogs and pinions, over 14 feet long, taking up an entire room.

By that machine one man can do the work of 75 to 100 mathematicians, and it has been doing that for 13 years. Will you try to visualize the financial importance of that device aside from its wonderful effectiveness as a scientific instrument? I have made a brief calculation of the wages of the mathematicians employed by the Coast and Geodetic Survey ranging from \$1,800 to \$2,400 per year. Assuming that the salaries of the mathematicians who would otherwise have had to calculate and predict the tides tediously by logarithms and trigonometry were only \$1,800 a year per man it would mean that this device has saved this Government \$2,340,000 in salaries alone.

Mr. ACKERMAN. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. ACKERMAN. Just at that point: I was at the Geodetic Survey yesterday and they said that in addition to the hundred mathematicians the expenses of probably 150 or 200 other employees were also saved to the Government by reason of this invention.

Mr. GRIFFIN. That is a new factor in the calculation that ought to be considered. My thought in bringing this to the attention of the House at this moment is to lay a tribute on this desk before this Congress and the American people to the energy, the zeal, the learning, and fidelity of three men, poorly paid, who devised and built this wonderful mechanism after long years of arduous study and toil.

First I mention Dr. Rollin A. Harris, now passed to his eternal rest. At the time that he gave his heart and soul to this work he was getting the munificent salary of \$2,400 a year. He died on January 20, 1918, after a lifetime of faithful service to his country, and there is not a resolution, there is not a suggestion of acknowledgment anywhere of the magnificent service which he rendered. If he had been a native of France, his name would be enshrined on the highest arch in the Academy of Science. During his life he would have received a ribbon and the medal of the Legion of Honor. Republics, however, are ungrateful. They are more than ungrateful, they are indifferent. I want in this feeble way to pay a tribute to this splendid man. I hope some time it may occur to the generosity of some man in this House, preferably the chairman of the appropriate committee, to introduce a resolution by which some testimony may be given to his kin of our recognition and appreciation of his splendid service.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GRIFFIN. Another of the men who were engaged in this work was Ernest Georg Fisher. He is now retired after a lifetime of faithful service, and is receiving the munificent sum of \$60 a month as a pension. The other man engaged in this remarkable work was Leland P. Shidy. He is still in the bureau after years of long service, drawing the munificent salary, as a scientist and mathematician of \$2,400 per year.

It is my hope that the Members of this House will give a little thought to the meager pay accorded by this Government to the faithful employees in the various scientific bureaus of our departments, and where they render, as in the invention and construction of this tide-predicting machine, some strikingly meritorious service there ought to be some special form of recognition and reward in addition to adequate increase of salaries. They belong to no organization, they belong to no union, but they devote their attention faithfully to the work intrusted to them without complaint or murmur. They take a delight in the work they are doing, and in their achievements they reflect great credit upon themselves, upon this Republic, and upon the age in which we live.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. McKEOWN. I have supposed that this reclassification would take care of these worthy men. They have no one to take any special interest in them, and I would think that the Reclassification Board would pick out men of this type and see that they had adequate compensation.

Mr. GRIFFIN. This tide-calculating device is nicknamed the brass brains of the Coast and Geodetic Survey. The reclassification act is also brass brained in the matter of its classifications. It does its work mechanically, without thought of comparative values or the importance of the work achieved. [Applause.]

Mr. McKEOWN. I agree with the gentleman, and I am in accord with what he is saying with reference to the necessity of taking some interest in the men who have no one specially to care for them or for what their compensation is. One of the most disconcerting things to an American citizen is to see a faithful servant, such as one of these men who has not been down here harassing Congress, being overlooked and not paid proper compensation.

The Clerk read as follows:

Pacific coast: For surveys and necessary resurveys of coasts on the Pacific Ocean under the jurisdiction of the United States, \$250,000.

Mr. MILLER of Washington. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:



Amendment offered by Mr. MILLER of Washington: Page 74, line 10, after the words "United States," strike out "\$250,000" and insert "\$314,800."

Mr. MILLER of Washington. Mr. Chairman, this is putting the appropriation for 1925 exactly what it is this year. This is a very important piece of work. Only 15 per cent of the coast line of Alaska is surveyed. There is not a State on the Pacific seaboard where 50 per cent of the coast line is surveyed. In my own State less than 45 per cent of the coast line is surveyed. We have to-day out on the coast four coast survey steamers, the *Discoverer*, the *Surveyor*, and two others. One of those ships will have to be laid up unless this appropriation is made what it is this year. Under an arrangement with the Philippine Islands and the Insular Government, out of the \$250,000 allowed they received \$75,000. That leaves \$175,000 for the entire Pacific coast, including Alaska.

Now there is great development on our coast. We are a new country. We have not had appropriations for 130 years for surveying our coasts as they have had along the Atlantic, for finding the rocks and shoals and ours is a far bolder coast than the Atlantic. Every few days, never a month passes but what some ship goes to the bottom, hung up on some bayonet rock that has never been located by a survey. It is to do this work, gentlemen, that we are asking for this little modest increase of \$64,800, to put it back just exactly to what it is this year. This bill, gentlemen, is under the estimate of the Budget, and I wish that the committee could see its way clear to accept this and give us the same amount for next year that we have this year and at least keep these four vessels employed and let us get after a while our Pacific coast surveyed and the danger points marked similar to what you have on the Atlantic seaboard.

Mr. LEA of California. Will the gentleman yield?

Mr. MILLER of Washington. I will.

Mr. LEA of California. In this connection I would like to call attention that in the last 24 years there have been 286 vessels wrecked in the waters in which it is now proposed to retard this work.

Mr. MILLER of Washington. The gentleman from California [Mr. MACLAFFERTY] spoke a moment ago about the loss of the *Valencia*, going on the rocks on the way from San Francisco to Seattle, going upon an uncharted rock, and I think 138 lives were lost on that ship and a ship worth \$3,000,000 went to the bottom because our coast is unsurveyed. There is altogether a different coast line on the Pacific. A thousand-fathom line runs to some 2 miles from shore, in other places half a mile from the shore, where you plunge off into a perfect gash in the earth and then pass on a shoal, or there may be a bayonet rock sticking up that no man has discovered. It can not be located other than by the wire dragnet, and it is that class of work that this Coast and Geodetic Survey is performing there. The Pacific coast from San Diego to Seattle is only 50 per cent surveyed and the 10,000 miles of Alaskan coast only 15 per cent. We ought to have next year the same amount we have this year, so the work may go on without delay, and it will not be necessary to take any vessels out of commission and tie them up.

Mr. SHREVE. Mr. Chairman and gentlemen of the committee, at first blush when we notice the reduction of \$61,500, page 30 of our report, it looked a little formidable, but when you come to make an analysis of the situation it is not so bad. Now, I have in my hand a recapitulation that was made by the Bureau of the Budget. In the estimate for 1925 they made a reduction in personal services. In 1924 it was \$48,750. The estimate for 1925 as provided in this bill is \$34,000. Now, for supplies and materials there is another place where a cut was made. Last year it was \$227,000 in round numbers, and this year \$136,000. In communication service there was an increase from \$450 in 1924 to \$471 in 1925. Traveling expenses another increase, in 1924 \$14,000 in round numbers, and in 1925 \$15,000. And for transportation of things there is a reduction in 1924 \$12,000; reduced to \$7,000 in 1925. Printing and binding, a little item this year, \$68, nothing in last year's appropriation. Now the item of furnishing heat and light, 1924 was \$300. It is now \$2,795. Rent item, 1924, \$2,150, and now under our appropriation which we are provided for it is \$3,601. Repairs, and here is another item; last year they had \$100 for repairs, and this year we give them \$16,452 for repairs. Supplies, miscellaneous, current expenses, last year \$1,400. This year we give \$3,079. In equipment in 1924 they had \$6,700 and we are giving this year \$29,627.

Mr. MILLER of Washington. Will the gentleman yield for a question?

Mr. SHREVE. In a minute I will answer. Now, gentlemen, explain to me where this \$61,000 can be used, and which one of these items it is proposed to increase and how you are going

to render the assistance you are clamoring for; if so, I will be glad to have that explanation.

Mr. MILLER of Washington. I can state to the gentleman right now. Colonel Jones, Chief of the Coast and Geodetic Survey, said if we did not allow this he would have to tie up one of these four steamers.

Mr. SHREVE. That is not stating—

Mr. MILLER of Washington. I am telling the gentleman that the Chief of Coast and Geodetic Survey told the gentleman in his hearings that if he did not allow this amount he would have to tie up one steamer. Now come across; I have told the gentleman one of the items.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. SHREVE. Certainly.

Mr. SUMMERS of Washington. This chart will have to be done sometime, will it not?

Mr. SHREVE. Certainly.

Mr. SUMMERS of Washington. Now, wrecks are occurring from time to time and will continue if this charting is not done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SWING. Mr. Chairman and gentlemen of the committee, I just want to emphasize the point made in the question asked the chairman of the committee by the gentleman from Washington that this work has got to be done, that it is going to be done, and must be paid for by the United States. It is only a question of what constitutes economy in doing it. Here is the testimony that if the money is not supplied this year in the amount it was last year—and they certainly must have convinced the committee last year they needed it or they would not have appropriated it—that one of these ships now operating will have to be tied up. You now have on the ground an organization that is engaged in doing this work. You will be dispersing this organization, and some time in the future when a larger appropriation is made you will have to make a new organization.

But that is not all. There is no economy in postponing for a year the work that you know you are going to have to do, and thereby invite unnecessary disasters in the loss of two or three ships a year and, may be, a large number of lives?

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. SWING. Yes.

Mr. MADDEN. Upon what ground does the gentleman make his statement that we are going to lose two or three ships?

Mr. SWING. I took my first ocean voyage last summer—it was not much of a voyage—only from San Diego to Seattle. But I was new on the sea water, and it caused me to read the ocean news quite carefully, and within the 20 days required to make that trip from San Diego to Seattle the newspapers carried reports of three ships that had gone on the rocks and two of them were reported to have gone on uncharted rocks. It was on that that I based my statement. There are large areas that are uncharted; and I think I have as much right to say that in that uncharted area there are dangerous rocks as anyone has to say that there are not, and each year, at a terrific loss of property and of life, we are finding out through disaster the location of these uncharted rocks. That is not an economic way to ascertain the whereabouts of these hidden dangers.

Mr. LEA of California. Mr. Chairman, will the gentleman yield?

Mr. SWING. Yes.

Mr. LEA of California. Is it not a fact that these three efficient ships that are now engaged in this work were put on the work in consequence of specific acts of Congress in the last two years, and that this provision in the bill will take off one of those ships that Congress authorized to be put there 18 months ago?

Mr. SWING. That is the effect of the testimony of Colonel Jones before the committee.

Mr. MADDEN. Mr. Chairman, I would like myself to quote Colonel Jones, who is in charge of this work. Colonel Jones is the best advocate of his own cause that there is in the world. He is one of the smartest men I have ever come in contact with. He is the best special pleader I ever knew. He can cry or laugh or act in any way that he thinks will accomplish his purpose. [Laughter.] He is an actor of the first class. He is a very enthusiastic man, a smart, bright, clean fellow. He is a good man for the job he occupies. But he is the best all-around pleader to get money out of the Treasury that I ever saw in my life. If the crowd of men on the Committee on Appropriations are not on their guard all the time, Colonel Jones will get all he can from the Treasury. [Laughter.] I do not mean that in an objectionable sense.

Mr. MILLER of Washington. I move that those objectionable words be cut out. [Laughter.]

Mr. MADDEN. I will take that out. It was not said in an offensive sense, either.

But let us see what Colonel Jones says about this. Mr. GRIFFIN wanted to know the period of time between the two maps that Colonel Jones presented for the consideration of the committee, and Colonel Jones answered:

It is eight years, from 1915 to 1923.

Then Mr. GRIFFIN asked—

Has your work been facilitated in any way during this period to show such a gain in area of surveys accomplished?

Now, let us see what Jones says. This is on page 384 of the hearings. I read:

Colonel JONES. Yes, sir; materially. In addition to our having these modern ships to speed up this permanent work, due to the ingenuity of one of our officers, the wire drag, which has been so vital in contributing to the progress and accuracy of the surveys, especially of southeastern Alaska, Commander Heck, who has been on this wire drag work for nine years, undertook when it was a very crude, undeveloped medium for surveying rocky waters, and at that time we used a drag of 2,000 or 2,500 feet in length and made two or three knots an hour, due to his ability and constructive mind, this drag has been developed so we can use it as long as 8,000 feet at 7 or 8 knots an hour. That has, in my opinion, brought this phase of our work to a conclusion in 8 years instead of 15 years.

Mr. MILLER of Washington. Mr. Chairman, will the gentleman yield for a short question right there?

Mr. MADDEN. Yes.

Mr. MILLER of Washington. Just where in that paragraph does Colonel Jones cry?

Mr. MADDEN. He was not crying then. [Laughter.]

Mr. CHINDBLOM. I want to ask the gentleman if that drag is with the committee?

Mr. MADDEN. They use the drag with the committee when they can. But they do not always succeed. Of course, there would not be so much complaint if they always succeeded. But I will say that if outsiders, not to speak of Members, succeeded in every case we would be swamped.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. May I have two minutes more?

Mr. MILLER of Washington. I ask unanimous consent that the gentleman from Illinois may have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Let me read another word from Colonel Jones:

There has been also a marked improvement in vessels, surveying instruments, sounding machines, and surveying methods. The following table gives an excellent idea of just how improved machinery, etc., expedite work and thereby decrease unit cost.

Now, I imagine, from the statement made by my distinguished friend from Washington [Mr. MILLER], than whom there is no man in the world that I think more about [applause]—I love him; his character is good; I love him—

Mr. MILLER of Washington. It depends on how you come through here—

Mr. MADDEN. But not \$60,000 worth. [Laughter.]

Mr. SUMMERS of Washington. Does the gentleman mean to give the impression that this work is completed?

Mr. MADDEN. I mean to give the impression that it is being expedited and that the unit of cost is being lowered.

Mr. SUMMERS of Washington. If it is done at one time, it will not have to be done again.

Mr. MADDEN. There may be a flood some time and the waters may wash some rocks down.

Mr. MacLAFFERTY. Does the gentleman fear it is going to be completed too soon?

Mr. MADDEN. No. We might lose some more destroyers. We lost some out there, you know.

Mr. MILLER of Washington. I wish the gentleman would read page 382 of the hearings and see what Colonel Jones said.

Mr. MADDEN. What does he say?

Mr. MILLER of Washington. He says:

Colonel JONES. Now, you asked me some time ago what would happen under this appropriation. I would like to tell you, please.

As the appropriation stands this moment, all our ships, barring the *Pathfinder* in the Philippines, must be tied up for a period. If there is any further reduction the *Pioneer* must be tied up for 12 months.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. VAILE. Both parts of the statement are correct, are they not?

Mr. MADDEN. I want to answer what the gentleman asked about. A few years ago when they asked for \$12,000,000 for fuel for the Navy I said they ought not to have it.

I proved they ought not to have it and they admitted they ought not to have it themselves after they had been on the witness stand for 30 minutes. They withdrew the application and then they made it again. Finally we gave them \$6,000,000, and that was \$1,500,000 more than they should have had and I knew it at the time. Finally the Secretary of the Navy sent me a letter saying they had saved \$1,500,000 out of the \$6,000,000 we gave them, and they said what they were proposing was to tie up every naval ship to the docks. Now, Jones says they will have to tie these ships up if we do not give them this money, but I call your attention to the fact that these ships are not sailing very much; they are out there with surveying parties and they are tied up most of the time while the surveying parties are out doing the surveying. Is not that true?

Mr. MILLER of Washington. No.

Mr. MADDEN. Of course it is true; they are tied up while the surveying parties are at work.

Mr. LEA of California. I think if the gentleman will read the testimony he will find that the ships are not tied up but that they go out as mother ships. I want to compliment the gentleman on the good work he has done with reference to these surveys, because he made it possible to provide modern ships which can do the work efficiently and cheaper. But these ships go out as mother ships and carry all of this material with them.

Mr. MADDEN. I am very grateful to the gentleman for his frank statement about what we have done. We have given them ships; we have given them men and money and everything they ought to have in every bill and in the bill now before us we are giving them everything they ought to have, so that this amendment ought not to be approved.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. SUTHERLAND. Mr. Chairman and gentlemen, I am not going to mention the interest Alaska has in this amendment, but I want to speak of the economy contained in the amendment submitted by the gentleman from Washington [Mr. MILLER].

There are two ships on the Pacific coast in the survey department and they were originally mine sweepers. At the close of the war these ships were taken over by the Coast and Geodetic Survey and converted into surveying boats. The expense of reconditioning and placing implements on board was in each case \$100,000. The Government valued these mine sweepers at \$500,000 each, so that the investment, as they stand today, in each ship is \$600,000 and it requires \$64,000 to keep them both in operation, and if that amount is not appropriated one will have to go out of commission. There is no property which deteriorates as rapidly from nonuse as ships.

Mr. MADDEN. Will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. MADDEN. I deny the statement that the boats will have to go out of commission. I say they will not and I say they have all the money they need.

Mr. SUTHERLAND. Well, the Chief of the Coast and Geodetic Survey asserts that they will absolutely have to go out of commission, or, at least, that one will go out of commission.

Mr. MILLER of Washington. Please read this statement by Colonel Jones as found in the hearings.

Mr. SUTHERLAND. Will the gentleman from Illinois accept the statement or shall I read it?

Mr. MADDEN. I accept nothing, so read it.

Mr. SUTHERLAND. Colonel Jones, in reply to a question asked by the gentleman from Massachusetts [Mr. TINKHAM] said this:

Mr. TINKHAM. I notice you are reduced \$64,000 from last year. What work will have to omit on account of that reduction?

Colonel JONES. Congressman TINKHAM, we will have to tie up one of our vessels for a whole year, and, in addition to that, we will have to curtail the activities of others. In other words, we will have to work them a number of months and then stop this work when the funds give out. This is carrying on the continuation of the program, no extra work, that we started last year, and which I have indicated on this chart by specific localities under the names of the ships.



"Now, Mr. Chairman, if that one ship is placed out of commission and tied up to the docks at Alameda it will require four men to care for her, a petty officer and three of a crew. The cost of that will probably be \$7,000 or \$8,000. It is difficult to estimate the cost of that, but I think that is a very conservative estimate for the care of ships. Then the reconditioning of that ship when she is again put in commission, provided it is within a year, would amount to approximately \$10,000.

Now, it can not be economy to say that that ship should go out of commission for the lack of a little over \$40,000, when we consider the work which that \$40,000 will do. So I submit that in the interest of economy it would be wise to adopt this amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Washington [Mr. MILLER].

The question was taken; and the Chairman being in doubt, the committee divided, and there were—ayes 36, noes 53.

So the amendment was rejected.

The Clerk read as follows:

Employees at fish-cultural stations: Thirty-four superintendents, at \$1,500 each; foremen—13, at \$1,200 each, 1 \$1,080, 1 \$1,000, 1 \$960; fish-culturalists—4 at \$960 each, 36 at \$900; apprentice fish-culturalists—6 at \$900 each, 1 \$780, 7 at \$720 each, 88 at \$600 each; custodian of lobster pound, \$720; custodian, \$360; engineers—2 at \$1,100 each, 1 \$1,000; 2 machinists, at \$960 each; firemen—2 at \$720 each, 8 at \$600 each; cooks—2 at \$900 each, 1 \$480; in all, \$184,620.

Mr. SHREVE. Mr. Chairman, I ask unanimous consent to insert the word "each" after the figures "\$900" in line 17, page 79.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHREVE: Page 79, line 17, after the figures "\$900" insert the word "each."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The Clerk read as follows:

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, including \$15,000 for Saratoga, Wyo., of which not to exceed \$8,000 shall be available for construction of buildings, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment and apparatus, contingent expenses, temporary labor, and not to exceed \$10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, \$386,250.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word and is recognized for five minutes.

Mr. RAKER. I would like to ask the gentleman in charge of the bill what provisions are being made for protecting and saving food fish by the Bureau of Fisheries?

Mr. SHREVE. Does the gentleman have reference to the Alaska service?

Mr. RAKER. No; I am talking about the United States. You have provided a lot of money for the propagation of food fishes. I will illustrate what I am talking about. In Pyramid Lake, in Nevada, which is supplied by the Truckee River water coming from California, and a part of it from Lake Tahoe, in the latter State, there are thousands and, I think, tens of thousands of dollars' worth of fish being destroyed to-day—fine trout a foot to two and a half feet long—and if that continues much longer the trout in that Pyramid Lake, Truckee River, and Lake Tahoe will be entirely destroyed. The people of that country will be deprived of food fish as well as thousands of people who come into that country in the summer for food fish.

Mr. SHREVE. Will the gentleman yield?

Mr. RAKER. Yes; I yield to the gentleman from Pennsylvania.

Mr. SHREVE. What is causing the destruction of those fish?

Mr. RAKER. In the first place, there is a dam in the lower part of the river, and they are allowing another dam up above there, and there is a ditch taking the water out of the stream at Derby Dam, and then they are allowing to come into the stream refuse and sawdust and material from various factories, which is practically destroying all the fish in that stream.

Mr. SHREVE. In reply to the gentleman I will say that, in my opinion, that is purely a State matter. I know up in Pennsylvania we take care of all situations of that kind.

Mr. RAKER. But the stream is in two States.

Mr. SHREVE. Could not each State take care of it within its own boundaries?

Mr. RAKER. We have been trying to do that, and I have been wondering what the Bureau of Fisheries has been doing in that connection in the propagation of food fish.

Mr. SHREVE. I will say to the gentleman that I know of no legislative authority which would permit the Bureau of Fisheries to go into that work and protect the fish as suggested by the gentleman from California.

Mr. RAKER. That is what I wanted to know about.

Mr. SHREVE. I am not familiar with any law that would be applicable to that situation. As I understand it, it is purely a State matter with reference to the pollution of streams, care of fish, and so forth. I will say to the gentleman that we are conducting a fish-rescue station along the Mississippi River, which has become of very great value. After the high waters in the spring these little fishes are washed out into the bayous and the department then comes along and reclaims them and takes them to the rescue station.

Mr. RAKER. I ought to know more about this work than I do. I know about it on the Truckee, Lake Tahoe, and Pyramid Lake, but not about the work on the Mississippi. Do you take any account of the fish in the Mississippi River?

Mr. SHREVE. Oh, most assuredly, in connection with the reclamation work of rescuing these fish. Millions of fish are rescued in that way in the Mississippi Valley.

Mr. RAKER. Under what authority do you do that?

Mr. SHREVE. Under the authority of the appropriations contained in this bill.

Mr. RAKER. I am asking for information. Why do you not rescue the fish that are being destroyed in the Truckee River? It is an interstate stream just like the Mississippi.

Mr. SHREVE. I would say to the gentleman that I really think that is a matter of police regulation which comes within the jurisdiction of the State.

Mr. RAKER. No; it is more than a police regulation because you are taking care of the fish that come out of the Mississippi River, which is an interstate stream. The Truckee River is an interstate stream and the fish are being destroyed just like in the Mississippi River.

Mr. ACKERMAN. Will the gentleman yield?

Mr. RAKER. Certainly.

Mr. ACKERMAN. Mr. O'Malley, on page 418, says that the division of scientific inquiry is the one that has to deal with the biological work of the bureau, and he then goes on to state how they are tagging the salmon and also are investigating the fish in the Great Lakes and the oysters on Long Island Sound, and are also doing work in the South and are also treating the fish with improved fish-cultural methods.

Mr. RAKER. Under what authority do they do that? In other words, if they can take care of the fish that are driven out of the streams by virtue of various conditions and into these ponds and bays and rivers, will not the gentleman get busy with the Bureau of Fisheries and get them kindly to help us in seeing that the fish in Pyramid Lake and Lake Tahoe and the Truckee River are not destroyed?

Mr. SHREVE. We will be very glad to.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. I ask, Mr. Chairman, for one more minute.

The CHAIRMAN. The gentleman from California asks for one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. This is not idle with me. I have had it up with every official in the State of California having charge of these matters. I have had it up with all the officials of the State of Nevada having charge of this subject. I have had it up with every official in the Federal Government, and my colleague from Nevada [Mr. RICHARDS] has done the same thing, because it affects our States where the two districts join; and I want to tell you that up until to-day the fish are being destroyed. I was in hopes that when the committee came in with this bill we would be in shape to start a real crusade that would save these food fish in Pyramid and Tahoe Lakes and the Truckee River for the people, as they ought to be saved, and I know the gentleman will help me to do that.

Mr. SHREVE. I will assure the gentleman of that. I have some knowledge of the situation to which the gentleman refers, having visited that country frequently, and I am in full sym-

pathy with him and will be very glad to assist in putting through some legislative program that will give the bureau some authority along that line.

Mr. RAKER. I thank the gentleman and I know that the people of both of these States will extend their hearty thanks for his statement and assistance. We must have it without much further delay, otherwise the fish will be destroyed.

Mr. ACKERMAN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from California if the enactment into law of the Lineberger bill, introduced by his colleague from California to prevent the pollution of the waters on the coast, would not help the situation.

Mr. RAKER. It would help it to some extent, but you must remember that the trouble is that this river is in two States.

Mr. ACKERMAN. It would help so far as Lake Tahoe is concerned.

Mr. RAKER. Yes; we need some legislation on the matter in order to take care of the fish as they should be taken care of.

The CHAIRMAN (Mr. TILSON). Without objection the pro forma amendment is withdrawn and the Clerk will read.

Mr. RAKER. Mr. Chairman, I wonder if there is a quorum present.

Mr. BLANTON. I make the point of order that that is not a proper suggestion.

Mr. RAKER. I didn't expect the gentleman would.

The CHAIRMAN. The Chair entertains no opinion on that subject. Does the gentleman make the point of order?

Mr. RAKER. Yes; I make the point of order.

The CHAIRMAN. The gentleman from California makes the point of order that no quorum is present. The Chair will count.

Mr. RAKER. I withdraw the point of order.

Mr. SHREVE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the word "travel," in line 17, insert the following: "subsistence (or per diem in lieu of subsistence) of employees while on duty in Alaska."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was agreed to.

Mr. SHREVE. Mr. Chairman, I ask unanimous consent that in the figures \$2,000, in line 3, page 83, the Clerk may insert a comma.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Regulating Immigration: For enforcement of the laws regulating immigration of aliens into the United States, including the contract labor laws; cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner General of Immigration; salaries and expenses of all officers, clerks, and employees appointed to enforce said laws, including personal services in the District of Columbia not to exceed \$50,000, and per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; enforcement of the provisions of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States," and acts amendatory thereof; necessary supplies, including exchange of typewriting machines, alterations and repairs, and for all other expenses authorized by said act; preventing the unlawful entry of Chinese into the United States by the appointment of suitable officers to enforce the laws in relation thereto; expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expenses of conveyance of Chinese persons to the frontier or seaboard for deportation; refunding of head tax, maintenance bills, and immigration fines upon presentation of evidence showing conclusively that collection was made through error of Government officers; all to be expended under the direction of the Secretary of Labor, \$3,300,000: *Provided*, That the purchase, exchange, use, maintenance, and operation of horse and motor vehicles required in the enforcement of the immigration and Chinese exclusion laws outside of the District of Columbia may be contracted for and the cost thereof paid from the appropriation for the enforcement of those laws under such terms and conditions as the Secretary of Labor may prescribe: *Provided further*, That not more than \$12,000 of the sum appropriated herein may be expended in the purchase and maintenance of such motor vehicles.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 87, line 14, after the word "of," strike out "Chinese" and insert "aliens."

Mr. JOHNSON of Washington. Mr. Chairman, I have offered this amendment for the purpose of making certain that the sums intended in this paragraph will be used in an earnest effort to prevent the unlawful entry of all aliens into the country.

Mr. MADDEN. I want to say that we will accept that amendment.

Mr. JOHNSON of Washington. I shall offer other amendments for the purpose of carrying out the intent of that amendment and for the purpose of protecting the United States.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. MADDEN. The gentleman's amendment does not relate to the returning to China of Chinese persons?

Mr. JOHNSON of Washington. No; the amendment is to strike out the word "Chinese," in line 14, and insert "aliens," so that it will read "preventing the unlawful entry of aliens into the United States by the appointment of suitable officers to enforce the law in relation thereto." The provision in relation to returning Chinese to China is in the next sentence after the semicolon. Now, Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Page 87, line 24, strike out the figures "\$3,300,000" and insert in lieu thereof "\$4,300,000," and after the word "Provided," insert "That at least \$1,000,000 of this amount shall be expended for additional land border patrol: *Provided further*."

Mr. JOHNSON of Washington. Mr. Chairman, this when read with the text of the bill is complete. For years Members of the House Committee on Immigration and Naturalization have known of the difficulties of the attempt to protect the borders against surreptitious entry of aliens and have tried to secure relief. We are not a privileged committee and can not get our proposed bills up on the floor as we please.

Mr. MADDEN. Will the gentleman yield for a statement?

Mr. JOHNSON of Washington. Yes; certainly.

Mr. MADDEN. If the gentleman from Washington will take my word, I would like to make a suggestion. I realize that something ought to be done on the border, but there has been no consideration of this question.

Mr. JOHNSON of Washington. Oh, yes; there has.

Mr. MADDEN. I mean that there has been no estimate, and this amendment will add a million dollars to the estimates already submitted. It is not fair to the House to have the committee charged with extravagant appropriations without estimates. If the gentleman will withhold his amendment, I give my word of honor to the House that I will be glad to call the proper subcommittee on appropriations together and give immediate hearings to anybody that wants a hearing and have a thorough understanding and report such legislation for due consideration as may be necessary to meet the situation that this appropriation provides for. That will be the orderly way, and I hope the House will do it.

Mr. JOHNSON of Washington. Mr. Chairman, the chairman of the Committee on Appropriations has been kind and has done the best he could to meet the situation, but information is not forthcoming just as it should be. Bureau chiefs can not talk freely, apparently. The Committee on Immigration and Naturalization has actually had to drag out the evidence which we have. We endeavored to have some fast work done in the last 24 hours so that we would have the printed hearings before you to show that the Immigration Service on the border, in their efforts not only to keep out the surreptitious immigrants but to maintain the laws generally, have, I believe, lost more lives of immigration inspectors in an effort to enforce the prohibition laws than have the prohibition enforcement officers themselves. In regard to what the gentleman says, this sum is not too large.

Mr. MADDEN. We do not know.

Mr. JOHNSON of Washington. The gentleman can take my word for it that it is not too large. Soon we hope to see some new immigration legislation coming before the House, if our committee can find time and obtain authority from this House for bringing out a bill for the protection of our borders, in the form of a joint patrol, to keep out the foot and mouth disease, or the animal diseases, the diseases of plants, for the enforcement of the quarantine law, for the protection of the public health, for the protection of the customs service, and for the protection of immigration service, and for half a dozen other services. We intend to have a combined control, and we intend, if we have the power, or if Members will see it as I see it, and will be able to get the Committee on Appropriations to agree, to see to it that a border patrol, to enforce a dozen or



more laws on the border, is equipped with automobiles, horses, even airplanes. We are through with this surreptitious entrance of aliens into the United States in violation of the laws of the United States, and the wanton breaking of other laws on our land borders, north and south. [Applause.] Our committee has given this a great deal of time and thought. We have figured it at a million dollars. I say now that immigration has been highly profitable to the Treasury of the United States. Everybody knows that. Our committee raised the head tax from \$6 to \$8. The poorly paid immigration inspectors are now begging for a chance to earn a little over-time money, paid to them indirectly by the steamship companies. I believe such a provision is in the immigration restriction bill now pending in another body. We do not think the principle is right. That is not the way the United States should pay its employees. We want this additional money for more border help, and also that when an immigration inspector in this service works for 20 hours at a stretch, as they frequently do at Ellis Island and elsewhere, they may have a decent lay-off even if they do not receive an extra dollar. But we want them properly and sufficiently paid. They are scrupulously honest, as a rule, against the most terrible temptations, as well as the most pitiful appeals that the human heart can utter. We want them properly paid, and their great services properly recognized, not only those at the great seaports but all along the land borders. [Applause.]

Mr. MADDEN. Mr. Chairman, I am thoroughly in accord with the purpose of the amendment. I am for the proposal in principle, as a diplomat would say, but I do not think we ought to carry it out in this bill. I think what we should do is to have the matter submitted to the Director of the Budget and have such an amount recommended for the employment of such force as may be required to accomplish the purpose indicated by the amendment, and then have the appropriations submitted in an orderly way to the Committee on Appropriations. I give you my word as Chairman of the Committee on Appropriations that the only object that I have in opposing this amendment now is that we shall not do in a haphazard way, without full knowledge, what should be done with all the knowledge that can be acquired on the subject. I do not think that it is fair to the Treasury or fair to the House or fair to ourselves as individual Members of the House to force an appropriation that has not been asked by the administration. What is the effect of that policy? To adopt this policy and appropriate regardless of whether it has been requested or not means simply that we go to the country approving a policy that pays no regard whatever to the administration needs, and while the administration can say that it is economical, and is conserving the Treasury and protecting the rights of the taxpayers, the House goes on record as saying that it does not care how conservative the administration may be.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. JOHNSON of Washington. The establishment of a sufficient patrol on the northern and southern borders will bring in enough money in the way of legitimate head tax to make a very considerable reduction in this particular million dollars which is asked for. The people of the country will like that.

Mr. MADDEN. But I am not making an unreasonable request. I do not deny that it would. I admit that it would; but while I am not denying and am admitting, I must assert that we should act so as not to invite the condemnation of the country that we are acting without consideration upon great problems affecting the Treasury of the United States. I am also saying that as chairman of the Committee on Appropriations I shall give immediate consideration to the problem when it is presented to us, and bring it in in an orderly way and protect the reputation of the House by doing so.

Mr. BACON. Can the gentleman assure the House that he will bring it in during this session of Congress?

Mr. MADDEN. Absolutely; if it comes to us, we will bring it in within a week after we get it. We never have delayed anything, and our committee does not shelve anything.

Mr. BACON. What assurance can the gentleman give us that the Budget will act at this session of Congress?

Mr. MADDEN. Oh, I do not control the Budget.

Mr. JOHNSON of Washington. But this is where Congress for once should rise above the Budget.

Mr. MADDEN. But I say this, that if the Secretary of Labor, who has the administration of this law, goes to the Budget he will get the recommendation of the Budget, and what can the gentleman say as to the attitude of the Secretary of Labor? Does the gentleman say that he is opposed to it?

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARNER of Texas. Do I understand that it is the policy of the gentleman's committee not to consider the advisability of making an appropriation unless the Budget first makes an estimate?

Mr. MADDEN. Not at all.

Mr. GARNER of Texas. Then it is not necessary for the budgetarian to make an estimate before this is considered?

Mr. MADDEN. No, it is not; but at the same time I think it would be wiser.

Mr. GARNER of Texas. Suppose the Budget does not make an estimate; will the gentleman's committee consider the question?

Mr. MADDEN. Yes. We will ask the Secretary of Labor to come down before us.

Mr. GARNER of Texas. While I am on my feet, I now ask the gentleman whether he is in accord with the gentleman from Washington [Mr. JOHNSON] as to the advisability of consolidating these various activities on the border?

Mr. MADDEN. I am.

Mr. GARNER of Texas. I happen to represent a district on the border of New Mexico, and when you come to cross from Mexico into the United States you run against about five or six fellows, and it looks to me as if the activities ought to be consolidated.

Mr. MADDEN. I have always said they should be consolidated. Now, we have as a matter of fact to-day looked out for quarantine, foot-and-mouth disease, plant diseases, and other diseases which we quarantine and fumigate at the border line, as the gentleman from Texas knows.

Mr. HUDSON. Did I understand the gentleman to say the administration is not in favor of this?

Mr. MADDEN. No; I did not say that.

Mr. HUDSON. I hope not. I think the administration has gone on record as being in favor of it.

Mr. MADDEN. I said that I did not think it was fair to the House to get the reputation of doing something the administration might say it did not want, and then have the country say that the House was extravagant while the administration was economical. That is what I said.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. I ask that the gentleman's time be extended three minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that the time of the gentleman from Illinois be extended three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Will the gentleman permit me to say this matter has been before the House Committee on Immigration and Naturalization over and over again. We have studied it in detail. Only this morning we had the Assistant Secretary of Labor before us, and also the Commissioner of Immigration, and we received some very strong statements as to what was happening on the border and as to the immediate necessity. We had these statements not only this year but last year and the year before that. We placed a border patrol bill on the House Calendar but we never got action in the House. It is a misfortune that the Committee on Immigration and Naturalization has never been a privileged committee. However, the appeals are always made to our committee and we are obliged to listen. That is why we feel we should have some relief.

Mr. MADDEN. I would be glad, as the chairman of the Committee on Appropriations, to reiterate what I have already said, and I hope the gentlemen here will let us have opportunity to make this study which we ought to have the opportunity to make.

Mr. MILLER of Washington. Does the gentleman think there will be any great outburst of the American people if we have an appropriation for a proper border patrol against undesirable immigration?

Mr. MADDEN. No, I do not think so; but I say it should not be done here in this way.

Mr. OLIVER of Alabama. Mr. Chairman, I am sure no Member of this House will for a moment doubt the sincerity of any statement made by the chairman of the committee, Mr. MADDEN. He states he is in sympathy with increasing this appropriation to such an amount as may be found necessary to adequately protect our borders. He insists that opportunity should be given the committee to consider the amount of this appropriation more at length and to secure an estimate from the Budget. The inquiry submitted by the gentleman from

Texas [Mr. GARNER] explains the position taken by the chairman of the committee. As Mr. GARNER states, there are several Government departments which maintain border guards, and the chairman of the committee feels that these Government forces can be so coordinated as to give better protection to the borders and at the same time probably reduce the number which the House now feels should be provided through a \$1,000,000 increase in this appropriation. The subcommittee, you will find, has written into the hearings very full information for the guidance of the House, and there can be no question but that this appropriation should be increased.

Mr. RAKER. Will the gentleman yield right there?

Mr. OLIVER of Alabama. Yes.

Mr. RAKER. Notwithstanding the writing in the record of these facts, is it not quite true that the Budget committee not having recommended more than \$3,300,000, there would be practically no possibility of the committee recommending more?

Mr. OLIVER of Alabama. No.

Mr. RAKER. Things change—there have been some things changed in the last week in reference to this matter.

Mr. OLIVER of Alabama. The facts developed by the Appropriations Committee and which appear in the hearings evidently stimulated inquiry by the Committee on Immigration and led to the offering of the amendment to increase the appropriation. There seems to be no doubt on the part of the Members present as to the necessity and importance of increasing this appropriation, and the chairman of the committee, Mr. MADDEN, now promises to go carefully into the matter within the next two weeks and report a supplemental bill carrying the required increase in this appropriation.

Mr. RAKER. Two years ago and last year on this appropriation did not the chairman and certain Members appear before the Committee on Appropriations and call attention to this condition which existed even two years ago and a year ago?

Mr. OLIVER of Alabama. I have no recollection of the parties you mention having appeared before the subcommittee.

Mr. RAKER. And even say to the officers, force them to testify before the committee as to the facts when they said they did not want to testify because they did not want to be in conflict with the rules in regard to the Budget?

Mr. OLIVER of Alabama. The gentleman is no doubt correct as to any statement he makes of which he has personal knowledge, but I have no recollection of anyone having appeared before our subcommittee on the subject to which he refers.

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLIVER of Alabama. May I have three minutes?

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. OLIVER of Alabama. The gentleman from California seems to feel that the Budget Bureau is not friendly to increasing this appropriation and thinks for that reason it may be difficult to secure any information from the Department of Labor. Now, I recognize that Government departments do feel embarrassed about giving testimony looking to an increase in the amounts recommended by the Budget, but the hearings on this bill disclose that in response to inquiries from members of the subcommittee representatives from the Department of Labor have testified as to the necessity for increasing the appropriation, and the chairman of the committee now only asks for an opportunity to have this matter submitted to the Budget for an estimate. He promises to bring back a bill providing an increase in this appropriation within the next two weeks and the House can then take such action thereon as it deems proper. The gentleman from Illinois [Mr. MADDEN] will carry out his promise and will in an orderly way present to the House a bill carrying the necessary increase.

Mr. MADDEN. I will be delighted to.

Mr. OLIVER of Alabama. We know the purpose the chairman has in mind, and I think the House should grant his request, since it may be that he can secure such cooperation between the different Government forces as to make unnecessary the large increase now asked for.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. JOHNSON of Washington. Will this result in the distinguished chairman of the Committee on Appropriations making a request as coming from the House of Representatives asking the Budget authorities to do this, or does he know how it will be done?

Mr. OLIVER of Alabama. The chairman will find the proper way to secure an estimate from the Budget, and to present by supplemental bill an increase in this appropriation, which all

seem to be agreed is required. I feel sure the House will be satisfied with what the chairman of the committee later reports, and I wish to say that no one is more interested in the matter than I am, as the hearings will disclose.

Mr. RAKER. Mr. Chairman, will the gentleman yield there?

Mr. OLIVER of Alabama. Yes.

Mr. RAKER. Can the gentleman tell the committee how the chairman can get hold of this bill, even a supplemental bill, unless somebody outside has already gotten busy with the department and practically urged them to make a supplemental estimate? Is not that true? The chairman of the committee will not act unless the Budget approves it. Is that right?

Mr. OLIVER of Alabama. The gentleman need have no uneasiness as to the House being given an opportunity in the time indicated by the gentleman from Illinois [Mr. MADDEN] to vote for an increase in this appropriation.

Mr. RAKER. Is it not a fact that that can not be done unless pressure is now brought by the chairman of the Committee on Appropriations on the Budget Bureau, and if the Budget Bureau should turn it down there is no way on earth to get this matter back to Congress except on another bill? That is right, is it not?

Mr. OLIVER of Alabama. That is exactly what the gentleman from Illinois [Mr. MADDEN] intends to do, and this appropriation will be presented in a supplemental bill.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield there for a question?

Mr. OLIVER of Alabama. Yes.

Mr. GARNER of Texas. I want to get clearly in my mind the position of the Committee on Appropriations as to a necessary appropriation. You would not hesitate to make a recommendation to the House for an appropriation that you thought was necessary, regardless of whether the Budget Bureau made an estimate or not?

Mr. OLIVER of Alabama. Certainly not; and the gentleman will find that I discussed that very matter on yesterday in connection with the pending bill.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. RAKER. Mr. Chairman, I do not ordinarily ask for any extra time; but in order that I may as clearly as possible present this to the House I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman and members of the committee, I have listened to what the chairman of the Committee on Appropriations has said, and I commend him for his attitude in this matter. I know it is not the intention of Members of the House to try to do things other than in an orderly way, and that they want to get results.

As the chairman of the Committee on Immigration [Mr. JOHNSON] has said, the Committee on Immigration has had these matters brought to its attention for a number of years, and it has been stated to us that we collect more from those who come in than we pay for the enforcement of the immigration laws. That is true.

It has been demonstrated by testimony that the officials have been unable to administer the immigration laws on the borders because of a lack of money and a sufficient number of guards.

Mr. VAILE. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. VAILE. The gentleman does not mean that the guards who have been there have failed to perform their duties in any way?

Mr. RAKER. No; the difficulty is in the lack of a sufficient number of guards and patrolmen, but the office help in these various stations is sufficient; guards and patrolmen are what we need. You must remember that the southern, or Mexican, border has an extent of some 2,000 miles, and it is something over that on the northern, or Canadian, border.

The demand—illegally—to enter the United States has been much increased since the existence of the restriction laws during the last two years and a half.

The testimony before the committee shows that a large percentage of those who are coming across the border surreptitiously are those who have entered Mexico from foreign countries, and the same is true of those who go to Canada from foreign countries and then come over to the United States illegally, for want of a proper and sufficient force to cope with the work along and on these extended borders. That is made possible because there is no one at the borders to prevent them from coming across or to apprehend them.



Mr. BOX. Will the gentleman yield?

Mr. RAKER. Yes, I yield to the gentleman.

Mr. BOX. Is it not true that that condition has prevailed for some years and that the only difference is that more recently it has been growing worse?

Mr. RAKER. Yes. That is the fact.

Mr. BOX. And is it not also true that our committee reported a bill some two or three years ago by which we tried to remedy that situation?

Mr. RAKER. Yes. But we were unable to get action on it, because there was no legislative way to get it before the House. Other legislation crowded it out. That condition is growing more intense all the time, and the committee felt it was its duty to present the matter to the various committees and to the House, and this seemed to be our only opportunity to do it legitimately. We now have the opportunity. It is here, and now we should not let this chance pass without affirmative action.

Now, a part of this same testimony was taken before the Committee on Appropriations.

Mr. MADDEN. Will the gentleman yield?

Mr. RAKER. Yes; I yield to the gentleman.

Mr. MADDEN. Of course, the House ought to realize that the Immigration Service enforcement is only one thing for which money will be needed.

Mr. RAKER. Oh, yes; that is a fact.

Mr. MADDEN. I have a letter from the Secretary of State in which he sets out the fact that they will have to have money as the result of the bill we have just passed.

Mr. RAKER. I think so. It is quite certain we will need some more money for that purpose. But it will pay for itself in the fees we will collect by the new legislation.

Mr. MADDEN. And, of course, we will have to be getting ready to appropriate that money, and it ought to be done at once and in an orderly way. That is the reason why I have asked to postpone action and give us an opportunity to ascertain what ought to be done.

Mr. RAKER. Now, gentlemen, I made a statement on the floor of the House the other day, and one of the Members—I am glad he did it—wrote to the department to see whether or not my statement was correct. The matter appears in the Record, and the department has admitted that it is practically the fact. But when you read the statement it shows that I did not half state the facts as strong as they exist.

The records now before the House show that five times as many men are illegally crossing the Mexican border than are admitted legally. There is no question but that from 75 per cent to 90 per cent of those who cross the Mexican border are illiterates, and that they are unable to pay the head tax. In addition to that the contract labor law has been violated in practically 90 per cent of the cases.

The testimony before the committee this morning, as given by the Commissioner of Immigration and the Assistant Secretary of Labor, was to this effect: That they know of men in these various towns on the border whose business it is to get these men across the border. They know that agents from all over the United States seeking cheap labor are in those communities and they know that these agents cross the line and that these Mexicans are brought across the border. They are satisfied the contract labor law is violated, but they have not the money nor the men with which to make investigations, arrest, and convict the padrones who are bringing in these Mexicans to take the places of American citizens.

Mr. VAILE. And if the gentleman will pardon me, not only Mexicans but aliens from all over Europe are coming across the border in charge of these same persons.

Mr. JOHNSON of Washington. Under advertisements in foreign newspapers in foreign countries that they will be delivered into this country?

Mr. RAKER. Yes; both statements are correct. This applies to the Canadian as well as the Mexican border.

Mr. MACLAFFERTY. Not only that, but from Japan and China.

Mr. RAKER. I say so much about that that I do not want to be considered a crank, but I take them all in. The gentleman from California [Mr. MACLAFFERTY] is eminently correct in what he has said. We must act. Get the men on these borders who have courage and stamina and you will see how quick this general stream across the borders will stop or at least will be negligible. It is to the credit of this House, to the credit of the Senate, and to the credit of the American people that it seems that after some 14 years we are able to get on the floor of this House an opportunity to vote, and when we did get a chance to vote we had the American spirit that has always

existed here, but had never had an opportunity to express itself in the House.

Mr. RANKIN. Will the gentleman yield?

Mr. RAKER. In just one moment.

With reference to the literacy test, gentlemen, I am not going to criticize that. The record shows that there were 63,000 who were admitted legally and examinations were held. Let me tell you what an officer told the committee this morning. It is in writing, and we will be able to present it to you as soon as we have it printed.

This gentleman stated that these fellows were tricky and so foxy that a card was given to them, and while he was advised they could not read, when they came up to the immigration official and presented the card they read the statement that they had committed to memory and crossed the border, and I would wager almost anything that practically 90 per cent of the 63,000 have been brought across in that way by these agents, who are receiving money from the people on this side to bring them across. He stated to the committee and presented to the committee sworn evidence this morning that \$1,000,000 would place 400 guards—

Mr. VAILE. Four hundred and sixty guards?

Mr. RAKER. Yes; 460 guards on both borders.

Mr. VAILE. That is 230 on each border?

Mr. RAKER. Yes; and would then leave enough money for the rest of the administration, including vehicles and so forth, and he felt reasonably certain that there would be an opportunity then to enforce the law as it ought to be. These facts are all before us. We have been working and struggling on these matters before our committee, and I want to call your attention to-day to the fact that when we were considering the immigration bill the other day you asked why we did not keep out the Mexicans and we said that they could not come in now for three reasons, namely, they can not read; second, they can not pay the head tax, and third, beyond all question 90 per cent of that bunch come in as contract laborers.

Here is an opportunity for you to help to keep out the Mexican by placing in the bill a sufficient amount of money to hire the number of guards that the Secretary of Labor, the Commissioner of Immigration, and all the other officials say they need and ought to have, and they also state if they get them they can enforce the law.

Mr. MACLAFFERTY. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. MACLAFFERTY. Did not the gentleman hear the chairman of the great Appropriations Committee offer as an objection to the immigration bill the fact that we were allowing the Mexicans to come in?

Mr. RAKER. Oh, I love the chairman of that committee. He is an honorable man—

Mr. MACLAFFERTY. That is not the question. I love him, too.

Mr. RAKER. You heard what he said. He is a fine gentleman, and is an able man, and is trying to do what he can, but he can not do it all. We have the opportunity now. We have got it in our control as American Congressmen. We have the facts before us, and let us put the money in the bill and give this great Labor Department an opportunity to enforce the law as they ought to enforce it.

Mr. HUDSPETH. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUDSPETH to the amendment offered by Mr. JOHNSON of Washington: Strike out "\$4,300,000" and insert in lieu thereof "\$4,500,000."

Mr. HUDSPETH. Mr. Chairman and gentlemen of the committee, this increase in the appropriation as provided in the bill by the committee will not cost the Treasury one dollar. The testimony in the hearings is that there is over \$4,800,000 collected from head taxes, fines, and so forth. The testimony further shows by Mr. Husband, Director General of Immigration, and I think a very efficient one, that on the border between the United States and the Republic of Mexico to patrol a border of over 3,000 miles—how many inspectors do you gentlemen imagine patrol that border? Sixty-four.

Mr. JOHNSON of Washington. Sixty-one. There have been three killed in the last few weeks.

Mr. BACON. There are only 61 now. There were 65.

Mr. HUDSPETH. Yes. Three were killed in enforcing the prohibition law. They are engaged in enforcing the immigra-

tion law, in enforcing the prohibition law, and Mr. Husband says that his men cooperate with the customs officials in preventing smuggling, with the prohibition enforcement officers, and with the men who enforce the law against the illegal sale of narcotics on the border. The number should be increased and also the salary of those now in the employ of the Immigration Department should be increased. Likewise the salary of Public Health employees who cooperate with them should be increased.

Mr. WHITE of Kansas. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. WHITE of Kansas. Taking the course of the Rio Grande from the Gulf to the Pacific Ocean there is one patrol to 33 miles.

Mr. HUDSPETH. I would figure something like that.

Mr. WHITE of Kansas. And there is a chance for them to come over every 3 feet.

Mr. HUDSPETH. Yes. Now, if you gentlemen know the topography of a great portion of this border, where it is so rough that a billy goat could not climb some of the hills without the aid of an airship, would you expect 61 men to patrol that border? Let me say that while I do not want a Mexican to come in illegally, Mr. Husband says that many Chinese and Japanese came into the country surreptitiously from Canada and Mexico during the last year.

Mr. RAKER. Mr. Husband testified before the committee that there were several thousands of them came over the borders from Europe—landed in Mexico and came across.

Mr. HUDSPETH. Yes; and over the Canadian border they come in. Now, I want to state that my friend from Alabama [Mr. OLIVER], who has taken a splendid interest in this matter, as the hearings disclose, said that they discussed this matter last year, and I had a bill before the Immigration Committee asking \$500,000 to increase the immigration patrol on the Mexican and Canadian borders.

Mr. JOHNSON of Washington. It died on the calendar.

Mr. HUDSPETH. At any rate, it was not passed. I do not want a single Mexican to come across the border illegally. I want him to come across in the regular legal way. I do not care whether he is a "wet back," a "gray back," or what kind of a back. I want him to show his back—and all others who come—to the immigration inspectors at the port of entry; and if the law permits, admit him. That is why we are asking for this appropriation. If the friends of this amendment are willing to refer the matter back to the Appropriations Committee, I can not prevent it; but I am going to vote for it if it comes before the House to-night.

Mr. MADDEN. Will the gentleman allow me to make a suggestion?

Mr. HUDSPETH. I will yield to the gentleman.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MADDEN. I ask unanimous consent the gentleman may have three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUDSPETH. I will yield to the gentleman.

Mr. MADDEN. The Secretary of State has indicated in a letter to me that he will need money in connection with the enforcement of the immigration law. There will be a good many things in connection with that law for which money will be needed. It is a matter that is referred to the Committee on Appropriations, and the committee will be able to coordinate the appropriations, and they will also be able to ascertain what compensation is going to be paid for the different classes of work that is to be entered upon. Whereas if we put this money into the bill now without any restriction, the department can use it for any purpose it sees fit, for anything they like to pay, or anything that they want to do. There will be no restriction in the use of the money, and it is not a business proposition. There will be no delay if the matter goes to the Committee on Appropriations, I will assure the gentleman. The only reason why I would like to have it go there at all is not that I care about the work but I simply do want to conserve the different interests of the country by conserving the Treasury to the extent that it can be done without doing any injustice.

Mr. HUDSPETH. I do not question the gentleman's sincerity in his statement. I say if the friends of this amendment want to refer it back I probably can not prevent; but if you want to vote on it this evening, I shall record my vote in favor of the amendment. This matter has been delayed too long.

Mr. MADDEN. It has not been before us.

Mr. HUDSPETH. No; but there have been many bills introduced in Congress asking for similar appropriations to keep out undesirable people. Now, do not delay it any longer. Mr.

Husband said, in answer to the gentleman from Alabama [Mr. OLIVER], who asked if the appropriation of the additional sum were made if it could be used and made immediately available, said absolutely yes; he could put the force into effect at once. If these statements are to be believed—and I do believe them by such men as Mr. Husband, who, as I have said, has made a good record as Director General of Immigration—then the matter should not be delayed longer, because they are coming surreptitiously over the borders, and we do not want them to do so any longer. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent that the gentleman have one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. OLIVER of Alabama. I asked the question which the gentleman read for this reason: If the House at this time desires to increase this amount by \$1,000,000 over and above what is carried in the bill, it is important that we make it immediately available. Why? Because the very thing that we seek to protect and guard against is now occurring every day.

Mr. HUDSPETH. Absolutely.

Mr. OLIVER of Alabama. Because of the lack of funds; and if we justify an increase we can not justify a delay in making the money available.

Mr. HUDSPETH. Certainly. If the committee does not adopt my amendment, I will cheerfully support the Johnson amendment. What I declare, Mr. Chairman and gentlemen, is that I am in favor of increasing the appropriation to an amount as will enable the Commissioner of Immigration to put an adequate force on all the borders that will keep out every person who is not entitled to enter this country through legal channels. [Applause.]

Mr. SHREVE. Mr. Chairman, I move that all debate upon the pending paragraph and all amendments thereto close in five minutes. [Cries of "Vote!"]

Mr. SABATH. Mr. Chairman, I would like to have five minutes.

The CHAIRMAN. The gentleman from Pennsylvania moves that all debate on the paragraph and all amendments thereto close in five minutes.

Mr. SABATH. Mr. Chairman, I would like to be heard for five minutes.

Mr. SHREVE. Mr. Chairman, we must finish this bill to-night.

Mr. SABATH. I have not been taking up any time. I am entitled to five minutes, and the gentleman will lose more time than five minutes.

Mr. JOHNSON of Washington. I suggest that the gentleman make it eight minutes.

Mr. SHREVE. Mr. Chairman, I modify my motion to make it 10 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Pennsylvania that all debate upon the paragraph and all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. SABATH. Mr. Chairman and gentlemen of the committee, I have the utmost confidence in my colleague, the chairman of the Committee on Appropriations, and I know that he is sincere and wants to do the right thing; also that it is his duty to safeguard the Treasury. I also have confidence in the Budget Committee, but I know that the Immigration Committee has thoroughly investigated this matter and has a great deal more information than that committee. I am in favor of this amendment because I know from the information given before the Committee on Immigration, and the knowledge I possess as to conditions on these borders, that this appropriation is necessary. I am not going to repeat the many conditions and reasons that warrant it, but all I desire is to read to you an article from yesterday's edition of the Chicago Tribune:

BUDAPEST, Hungary, April 16.—Emigrants in eastern Europe are now being taught to slip into the United States via the Canadian frontier.

Foreign shipping companies have just commenced a campaign to advertise Canada to Budapest, Bucharest, Belgrade, Warsaw, Danzig, Athens, and other big immigration centers and the unofficial word is being passed along that emigrants who can not get themselves included in the American quota will have no difficulty in entering the United States from Canada.

"The frontier is not guarded and all you will have to do to reach the United States is to walk across," runners of these steamship agents tell prospective emigrants.



From what has been stated on the floor about the Mexican border applies, beyond doubt, to the Canadian border. The report that I have read from the Chicago Tribune clearly justifies the charges I have repeatedly made against the British steamship lines. Not only have I charged the British steamship lines as to these practices but in the last several years I have called the attention of the Department of State, the Department of Labor, and the Bureau of Immigration to the methods employed in circumventing our immigration and inspection laws. However, nothing has been done to stop this practice. Within a few months the new restrictive immigration law will go into effect, and unless we will properly man our borders I am satisfied that the thousands that will be unloaded by these steamship companies in Canada and Mexico will endeavor to find their way into this country. As you all know, I have opposed the discriminatory immigration bill to the best of my ability, not because I do not believe in restriction but because it was a discriminatory measure. Desirous as I was to make the bill more liberal and humane, on the other hand I am just as anxious and desirous to prevent surreptitious and illegal entry. If they can not come in legally, they surely can not come in illegally. It is for that reason that I favor the appropriation that will increase the border patrol, and in that way put a stop to the profitable smuggling on the Mexican border as well as on the Canadian border. Not only that, but we should go on record to serve notice on the English steamship companies that we will not tolerate this deceitful and inhuman practice on their part, which not only takes advantage of the poor immigrant but of our friendliness. I am against the illegal entry of anyone, whether he be a Mexican, a Canadian, a Chinaman, or a Japanese. I think the laws should be enforced, and the sooner we put a stop to this illegal practice the better it will be for our country. I think we ought to act now, and I hope the proposed amendment will be adopted.

Mr. BOX rose.

The CHAIRMAN. Does the gentleman from Pennsylvania desire recognition?

Mr. SHREVE. I yield to the gentleman from Texas [Mr. BOX].

Mr. BOX. Mr. Chairman, I want the House to proceed in an orderly way, but I also want something done now. As a member of the Committee on Immigration and Naturalization, I know that that committee has dealt with this troublesome question and worried over it for four or five years. We reported a bill to the House recommending the establishment of an additional border force. Advice coming to us show that from three to five times as many men as come through the ports, come in as smugglers. Many of those coming through the ports come illegally, in violation of the literacy, contract labor, and other restriction tests. It is a standing disgrace. It is a dishonor to the United States to have its laws trampled under foot as is now done on the Mexican border and on the Canadian border. Many of those entering are not natives of Canada or of Mexico, and many are. Great numbers are vicious and undesirable from every standpoint. It is intimated from official sources that Emma Goldman has recently entered in that way. What I say of the coming of dangerous numbers and undesirable characters may be true to the same extent of the Canadian border, but I have less information about that. A great many undesirable Europeans excluded by our laws are coming in and speaking and acting contemptuously. They came in disregard of the law and doubtless have less respect for our law because of their ability to treat it with contempt in entering. Congress ought to take early action; we ought to act now.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment offered by the gentleman from Texas to the amendment of the gentleman from Washington.

The question was taken; and on a division (demanded by Mr. HUBSPETH) there were—ayes 35, noes 31.

Mr. MADDEN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. MADDEN and Mr. HUBSPETH) reported that there were—ayes 72, noes 58. So the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I wish to offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 88, line 6, strike out the figures "\$12,000" and insert in lieu thereof "\$50,000," and in line 8, strike out the period and insert in

lieu thereof a comma and the following: "Provided further, That not more than \$88,000 of this amount shall be expended for the purchase and maintenance of motor vehicles for additional land border patrol."

The CHAIRMAN. Debate on this paragraph and all amendments thereto is limited to 10 minutes, 5 of which have been consumed.

Mr. JOHNSON of Washington. Mr. Chairman, all I want to say is that having appropriated the larger sum, this provides for a certain proportionate distribution.

Mr. MADDEN. Mr. Chairman, I make a point of order against the amendment that it is legislation.

Mr. JOHNSON of Washington. I do not think it is legislation.

Mr. BOX. Mr. Chairman, I make the point of order that the amendment has been discussed.

The CHAIRMAN. The gentleman from Washington has debated the amendment.

Mr. MADDEN. Mr. Chairman, I was on my feet waiting to make a point of order against it. The gentleman did not make a speech. I do not think it is fair to me to cut me out of my right to make a point of order if it is subject to a point of order.

The CHAIRMAN. The Chair certainly would be the last one to deprive the gentleman of the right to make a point of order.

Mr. JOHNSON of Washington. I have no desire to say anything further, but it strikes me that if a certain sum is appropriated with a limit of \$12,000 to be spent for automobiles, and, knowing the territory we have to cover we appropriate a larger sum, it is clearly in our right to increase proportionately the use of automobiles.

Mr. MADDEN. I want to see whether it is subject to the point of order. I would like to have the amendment again reported.

The CHAIRMAN. Without objection the amendment will be again reported.

There was no objection.

The amendment was again reported.

Mr. MADDEN. That is all right, it is not subject to the point of order.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

#### IMMIGRATION STATIONS

For remodeling, repairing (including repairs to the ferryboat, *Edna Island*), remodeling buildings, and purchase of equipment, \$100,000.

Mr. SHREVE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. SHREVE: Page 88, line 11, strike out the word "remodeling" and insert in lieu thereof the word "renovating."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

General expenses: For compensation, to be fixed by the Secretary of Labor, of examiners, interpreters, clerks, and stenographers, for the purpose of carrying on the work of the Bureau of Naturalization, provided for by the act approved June 29, 1906, as amended by the act approved March 4, 1913 (Stat. L. vol. 37, p. 736), and May 9, 1918 (Stat. L. vol. 40, pp. 542-548, inclusive), including not to exceed \$52,000 for personal services in the District of Columbia, and for their actual and necessary traveling expenses while absent from their official stations, including street-car fare on official business at official stations, together with per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for such per diem together with actual necessary traveling expenses of officers and employees of the Bureau of Naturalization in Washington while absent on official duty outside of the District of Columbia; telegrams, verifications of legal papers, telephone service in offices outside of the District of Columbia; not to exceed \$20,000 for rent of offices outside of the District of Columbia where suitable quarters can not be obtained in public buildings; carrying into effect section 13 of the act of June 29, 1906 (34 Stat. p. 600), as amended by the act approved June 25, 1910 (36 Stat. p. 765), and in accordance with the provisions of the sundry civil act of June 12, 1917; and for mileage and fees to witnesses subpoenaed on behalf of the United States, the expenditures from this appropriation shall be made in the manner and under such regulation as the Secretary of Labor may prescribe, \$561,560: *Provided*, That no part of this appropriation shall be available for the compensation of assistants to clerks of United States courts.

Mr. CABLE. Mr. Chairman, I offer an amendment.  
The CHAIRMAN. The Clerk will report the amendment.  
The Clerk read as follows:

Page 89, line 23, after the word "prescribed," strike out "\$561, 560," and insert in lieu thereof "\$600,000."

MAKING CITIZENS DURING PEACE TIME AND WAR—A STIRRING INCIDENT FROM THE HISTORY OF THE THIRTY-SEVENTH DIVISION

Mr. CABLE. Mr. Chairman—

Aliens are made citizens at the rate of 15 a minute.

These headlines appeared in the New York Times last month.

The selection of our future citizens is a problem entitled to serious consideration, because it carries with it not only certain obligations but the right of participating in our Government and of determining its future policies as well as protection at home or abroad. It should be accompanied by a dignified ceremony to properly impress the aliens who are received as citizens as well as serving as a reminder to those who already have the great rights granted by our Constitution.

How is citizenship in this great country acquired?

It is determined by Federal law only. An alien may file his declaration of intention on the day of his arrival, but he must have resided within the United States continuously for five years prior to filing his petition for naturalization, the last year of which must have been continuously within the State in which he applies for citizenship.

Prior to filing his petition a preliminary application must be sent in to the chief examiner for the Bureau of Naturalization. On a date named the applicant with two witnesses appear at the office of the clerk of courts, where the Federal examiner questions the applicant and the witnesses. The alien must be able to speak English and sign his name in English. He must have a knowledge of our form of government, of our Constitution, our history and ideals, and a knowledge of local civic affairs. Residence outside the State may be shown by a deposition, but his residence within the State must be proven by actual witnesses.

If the examiner is satisfied that the applicant can qualify before the court, the petition is filed with the clerk and the alien's name is posted for 90 days. At the end of this time the final examination is held in open court and if, in the opinion of the judge, the applicant is qualified, he raises his right hand, renounces allegiance to his foreign ruler, and takes the oath of allegiance to the United States.

All children under 21 years of age and residing within the United States on the date of the parents' naturalization automatically become citizens of this country. By the act of September 22, 1922, commonly known as the Cable Act, women were granted independent citizenship. Alien women are now receiving the same attention and education as men and are becoming citizens independent of their husbands. An alien woman, however, whose husband is an American citizen, need not file her declaration, and only one year's residence instead of five is necessary.

Of the 14,000,000 foreign born in the United States less than half are naturalized. There are 2,000 State courts and 200 United States courts where hearings are held in naturalization proceedings. During the fiscal year ending June 30, 1923, 169,968 petitions were finally disposed of, of which number 145,084 were admitted to citizenship and 24,884 denied for various reasons.

Mr. NEWTON of Minnesota. What reason has the committee given for the cut from the appropriation for the current year?

Mr. CABLE. There is absolutely no reason given, and according to the record of the hearings before the Committee on Appropriations, Mr. Crist, Chief of the Bureau of Naturalization, said the service is now undermanned. My reason for the amendment is because of congested conditions, particularly in the State of Ohio, in naturalization work. Reports from large industrial centers of the State show unprecedented increases in declarations for citizenship. This is particularly true at Cleveland, Akron, Youngstown, and Toledo. My idea is that the acquisition of citizenship should be only by those thoroughly qualified, and unless proper examination may be made by the Federal examiners and their assistants the process of citizenship will not be as thorough as it should be.

Mr. RAKER. Will the gentleman tell the House that they are practically omitting the detailed examinations now and are putting men through by simply taking down a few words and "shooting" them into court? They naturalize them at the rate of 90 an hour.

Mr. CABLE. Up in New York, I understand, they naturalize them at the rate of 15 a minute.

Mr. Raymond T. Crist, of Washington, is the Chief of the Bureau of Naturalization, and is well qualified for the position. He is entitled to the whole-hearted support of the Members of Congress in carrying on this important work.

Not only in peace time has this bureau been a vital, functioning part of our Government, but in time of war as well. I refer to the work carried on in preparing aliens for overseas duty during the World War.

From Mr. Oran T. Moore, chief examiner of the Washington district, I learned of one of the most interesting and graphic incidents in connection with this work. It occurred at the time of the naturalization of aliens in the Thirty-seventh Division, a division which wrote its name in history in some of the hardest battles along the western front, and which was composed of National Guard troops from Ohio.

On May 9, 1918, Congress passed an act providing for the expeditious naturalization of men who were "serving in the United States Army during the time the country is engaged in the present war." War Department statistics had shown that there were many thousands of aliens in the service by virtue of membership in the National Guard, in the National Army, and by operation of the draft. Before these men should go overseas it was highly desirable that they be citizens. With this in view, the act was passed.

Of the 32 cantonments in the United States, 17 were in the Washington naturalization district, and there were more than 250 other military posts and camps. It became necessary to hurry the work for the naturalization of soldiers before the units to which they belonged might be moved to other camps or places of debarkation.

The first naturalization of soldiers in the camps where the court, by formal order, set up its machinery inside of military lines occurred in Camp Sheridan, Ala., where the Thirty-seventh Division, consisting of National Guard troops from Ohio, was in training under command of Maj. Gen. Charles S. Farnsworth. Hon. Henry M. Clayton, United States district judge, Montgomery, Ala., provided for a session of the court within the camp.

On the evening of Friday, May 18, 1918, Gen. Charles S. Farnsworth requested that immediate steps be taken to handle the naturalization of the men of the Thirty-seventh Division, as the following morning they were under orders to proceed to some point of debarkation for overseas service. By use of telegraph and telephone a corps of examiners was assembled at Montgomery, Ala., Saturday night and Sunday morning; and at 5 o'clock Sunday morning work was begun in the camp in preparation for the naturalization hearing on the following morning. Judge Clayton, General Farnsworth, and Mr. Moore, the representative of the naturalization service, planned the hearing for sunrise of such units as were under orders to entrain. It was necessary to outline the work, prepare the papers, and make all final preparations for the unusual ceremony of a session of court at sunrise on the open parade grounds in a military camp.

Lieutenant Colonel Albrecht was assigned by General Farnsworth as the military officer in charge, and through his able cooperation it was possible to file the naturalization papers. It was, to say the least, an impressive ceremony. Three hundred and sixty-six enlisted men of many nationalities, all petitioners for naturalization, in full marching equipment ready to cross the seas in defense of their adopted country, were drawn up in rectangular formation. At one end of the rectangle on a raised platform were seated the United States district judge, the court officials, and the commanding officer of the camp and his staff. At one side of the platform under a great live-oak tree were the officers of each company. On the opposite side under the headquarters flagstaff was the military band. As the sun was rising, at a military command one unit at a time was brought to attention before the judge. Interrogations to show their desire and qualifications for citizenship were made and the company officers in each case testified to the service and loyalty of each soldier. As each unit was completed it was moved back until finally the entire organization assumed the formation of a solid square.

In order to administer the oath by nationality groups, the former aliens of each nationality were in turn called forward, took the oath, and were ordered to step back into hollow-square formation, until group after group was disposed of and the entire body was arranged again in that formation.

After the formal part of the ceremony had been completed, Judge Clayton, who was for many years chairman of the Committee on the Judiciary in the House of Representatives, delivered a stirring patriotic address, which was followed by Maj. Ralph D. Cole, at that time one of the staff officers of the division, and formerly an associate of Judge Clayton on the House committee.



For three successive mornings sunrise ceremonies were held, in order that the entire Thirty-seventh Division might be moved on to debarkation. Men in many of the units were subjects of enemy countries. It is true many of them were reluctantly so, as they were Serbians, Rumanians, and Croats by race but nationals of the Austro-Hungarian monarchy; Alsations and Poles by race but subjects of Germany. Under the orders of the War Department it was necessary to leave these men behind unless their naturalization could be completed.

On Monday morning 366 men were naturalized, and on the following morning 297, and so on until 1,100 of the aliens in the Thirty-seventh Division had been clothed with citizenship and were in possession of certificates showing the fact.

In the meantime the command of the camp changed hands. General Farnsworth went with his division, and Gen. William R. Smith succeeded to the command. The ceremony described was repeated morning after morning with slight variations.

One of the most interesting situations that arose in connection with conferring citizenship on soldiers occurred on the second day at Camp Sheridan. The One hundred and twelfth Trench Mortar Battery, in command of Capt. A. S. Dillon, appeared for naturalization. It developed that the entire organization was made up of Rumanians born in Transylvania and former subjects of the Austro-Hungarian Empire.

The top sergeant was a fine, upstanding young Rumanian named Rudi Nan. He stood 6 feet, weighed 195 pounds, and was every inch a soldier. The captain was a modest young man who had little to say, but for whom every member of his company showed a deep respect that spoke of his ability as a commanding officer. I was able to piece together the story of the organization by conversation with various members as they were preparing for their naturalization. It appears that they were all from East Youngstown, Ohio. Just at the time of the outbreak of the war Nan made a speech and called upon his countrymen to show their loyalty to the cause to which both the United States and Rumania were devoted. As a result, practically the entire young manhood in the audience marched off and enlisted in the Army.

Nan would not have been required to serve by operation of the draft, even if he had been a citizen, as he left behind a wife and child. Subsequently these aliens became the organization under the command of Captain Dillon, and were naturalized at Camp Sheridan. If correctly recalled, many of the men had been employed in the manufacturing establishment operated by the father of Captain Dillon.

This incident was told to Judge Clayton while waiting for the naturalization to begin at sunrise on Tuesday morning, May 21. As the ceremony was completed that morning the judge called Sergeant Nan from the ranks and asked him to address the several hundred men assembled. The 10-minute speech that Nan delivered was one of the finest patriotic utterances of the war and was commented upon by the papers throughout the South.

With his foreign accent he said in part:

Men, most of you, like myself, are subjects of one of the Teutonic allies against whom the United States is engaged in the present war. For 1,000 years our forefathers have been subject to the tyrants' rule. We have been allowed to come here; to raise our families in peace; to educate our children; to practice religious liberty, and enjoy the privileges of this great Nation. We would indeed be ungrateful if we did not offer it our services in its time of greatest need. Through you, honorable judge, and you, our commanding officer, we express to the Government and the people of the United States our appreciation not only for this wonderful opportunity to so easily become citizens but also for the privilege of serving side by side with the native sons of America in the cause to which we are all dedicated. To us of foreign birth, it is a cause 1,000 years old.

Mr. MADDEN. Mr. Chairman, I do not think I have done anything to justify such calls as "vote." I am only trying to do the business with which the House has charged me. I want a respectful hearing. I will give everybody else a chance to be heard respectfully. If you do not want me to act as chairman, all you have to do is to say so. But I do ask for respectful treatment at the hands of the Members of the House while I am chairman.

Mr. STENGLE. We do not know what we would do without you. [Applause.]

Mr. MADDEN. I want to say that this bill carries every dollar that the Budget Committee has asked for. If you know more about it than I do and you are assured that it is needed, vote for it.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. SABATH. Was any evidence given to the committee of the fact that all the courts, like the various State courts in New York, Cleveland, and elsewhere, have withdrawn from this naturalization work because of lack of funds?

Mr. MADDEN. I have received some letters from the courts of record in the different States, but frequently we get letters from clerks of courts all over the United States and other people all over the United States concerning different things where they think they can get more money out of the Treasury for the employment of additional men in their offices, and we always do give consideration to such letters as those; such consideration as perhaps the importance of the cases may justify. At times men are put on the payrolls of these offices simply to fulfill some political obligation. My colleague from Illinois knows that as well as I do, so that generally I do not feel bound to be seriously impressed by any such letters. But if the department having jurisdiction of the work comes to us and says there is a serious situation that ought to be remedied, and it takes money to remedy that situation, we give serious consideration to that.

But if the responsible head of the Government says he wants only \$500,000, we are not going to say he has made a mistake and ought to have \$1,000,000. That is not what we are there for. We think the man at the head of the Government ought to know what he wants and we are not going to try to persuade him he ought to get more money than he wants.

Do you want us to ask him or everybody who comes before the committee to take \$2 when they ask for only \$1? How long do you suppose the Government would last if we did that?

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. NEWTON of Minnesota. The Budget estimates are the same as the estimates of the committee as reported to the House?

Mr. MADDEN. Exactly.

Mr. NEWTON of Minnesota. But the evidence discloses that the Budget Bureau did not give them what they thought they should have. That is what Mr. Crist testified.

Mr. MADDEN. The Budget never gives anybody what they think they ought to have, and neither does the committee. There is no person in any department of the Government who thinks he gets what he wants. If he had his say, instead of costing \$3,400,000,000 a year to run the Government it would cost \$34,000,000,000. [Applause.] What is the use of talking about it? All this tommyrot about men coming before our committee and saying the Budget Bureau did not give them what they asked is not worthy of much consideration, because they all say that.

Mr. SCHAFER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. SCHAFER. The Budget Bureau did not give the Board of Managers of the National Military Homes what they asked and they did not ask a sufficient amount when they asked—

Mr. MADDEN. We do not know whether they did or not.

Mr. SCHAFER (continuing). Thirty-three cents a day to feed the men.

Mr. MADDEN. That is a question which is not before us now. But there is one thing that is always before us. The question before us always is: Are we going to listen to clamor and make appropriations on the basis of it, or are we going to conduct the Government of the United States in an orderly fashion? Are we going to listen to a clerk in some bureau and give his clamor or demand more weight than we give to the President? The President of the United States is the head of the Government; he is responsible for every request that comes before us, and I will always assume that the President will ask for all he needs, but I do not feel bound to give him all he asks even when he asks it.

Mr. KUNZ. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KUNZ. Does the gentleman know that since there has been a change in procedure in Chicago, whereby the applicant for naturalization must apply to the Naturalization Bureau instead of applying at the offices of the clerks of the different courts, the Naturalization Bureau has gotten 6,000 behind?

Mr. MADDEN. I do not know how many they are behind. I am not here to attend to the business of naturalizing men in order that they may vote the Democratic or Republican ticket, but I am here to attend to the business of the people of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I ask unanimous consent to proceed for one more minute, in order that I may make another statement.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. KUNZ. I would like to suggest to the gentleman that we ought to give them an opportunity to become naturalized and see that the help is adequate.

Mr. MADDEN. Everywhere within the jurisdiction of the United States the statement is made that it should be the policy of the Government to economize, but everybody here seems to think that nobody pays the bills when we make these appropriations, and so they demand greater appropriations. But you will hear from your constituents about this. Every once in a while I hear from mine and you hear from yours. On the one hand, I will get 1,000 telegrams demanding that a particular activity of the Government be continued and that it must not be curtailed; that it is vital and must be conducted at the highest standard of cost and not at the lowest standard of cost. Efficiency does not count for anything, but it is the cost. Then I will get 100 letters from the same people denouncing me for the extravagant policy of the Appropriations Committee. Then I come in here and try to economize, but you try to override the committee and put anything you want on the bill. Of course, that is your right; but everyone must realize, gentlemen, that all these bills have got to be paid. Who pays them? You pay them, I pay them, and the people pay them. The Government has no money of its own. We have no wellspring from which this money comes except the pockets of the people.

Mr. RAKER. Will the gentleman yield?

Mr. MADDEN. No; what is the use? The gentleman has been talking all the afternoon trying to load the bill up with dollars when I am trying to save them. [Applause.] Now, put on this other amendment and then you will have completed the work.

Mr. ACKERMAN. Mr. Chairman, I just wish to read one paragraph from page 69 of the hearings on this bill:

Mr. SHREVE. Have you statistics covering the number of applications?

Mr. CRIST. Yes, sir.

Mr. SHREVE. And those that have been acted on unfavorably?

Mr. CRIST. Yes; I have that.

Mr. SHREVE. Would you please give us a summary of that?

Mr. CRIST. During the fiscal year ended June 30, 1923, there were 169,968 petitions finally disposed of, of which number 145,084 were admitted to citizenship and 24,884 denied for various reasons.

The committee has not cut down the amount recommended by the Budget. So, according to that statement, there would be nearly 170,000 persons admitted to citizenship in the next fiscal year.

Mr. CABLE. Will the gentleman yield?

Mr. ACKERMAN. Yes.

Mr. CABLE. I just want to call the gentleman's attention to the statement of Mr. Crist on page 81, where he said the whole service had been undermanned; and that is with the present appropriation, and the Budget cuts it down \$38,000.

Mr. JOHNSON of Washington. And one thing more: They have lately discovered there 10,000 applications for nunc pro tunc citizenship, the probability being that they are those who can not prove proper entry into this country.

Mr. MADDEN. And 10,000 applicants for jobs every morning.

Mr. JOHNSON of Washington. I am not talking about that. I am trying to tell you how they are trying to make themselves into voters.

Mr. SABATH. Mr. Chairman, I am for economy. I am against appropriating money unnecessarily and am not interested in creating jobs for applicants who might be recognized or appointed by the Republican administration. But I am interested in making it possible for deserving men and women to be naturalized. We hear that the foreign-born people in our country will not naturalize. They are charged with negligence; yes, with indifference. Only a few minutes ago the gentleman from Ohio stated that there were 14,000,000 foreign born in the United States and most of them were not naturalized. I believe that we should afford them an opportunity to become citizens if they are entitled to it, and the only way we can ascertain whether they are entitled to be naturalized is by proper investigation and examination. I am not in favor of making anyone a citizen unless I believe he is deserving of American citizenship.

As to the continuous publicity as to the numbers who are not citizens, I want to say to the gentleman from Ohio and to the other gentlemen that we have in this country 13,713,000 foreign born.

Mr. MADDEN. The other gentleman does not agree with his colleague on this committee, the gentleman from Ohio, who says there are 14,000,000.

Mr. CABLE. Foreign born.

Mr. SABATH. No; these are the actual figures. Of that number 6,479,159 are naturalized; 1,219,057 have first papers, making 7,698,216; leaving a balance of 5,223,715 who are not naturalized. The foreign born who are under 21 years of age number 1,304,034, and the persons whose citizenship is not reported is 790,823, so that the entire number who are not naturalized or who have not made application is only 3,919,681. As the average annual immigration in the last five years has been 165,000, the number of 900,000 for that period must be deducted, as these immigrants can not be as yet naturalized, not having lived here the length of time required under our naturalization laws. With this deduction the number is reduced to 3,019,681, and this includes women.

It matters not how anxious an alien is to become a citizen of our country, due to the many delays to which he is subjected it takes him from six and one-half to seven years. The insufficient help in the bureau, the lack of judges and investigators, together with the recent war are factors which are accountable for thousands upon thousands being delayed years in securing that high privilege. We also must consider that there are thousands who on account of old age and their inability to read and write or speak the English language can not be naturalized. Again, there are others who live in the rural sections of our country or who are employed on the railroads who find it hard to secure witnesses that can vouch for them, as is required by law. There are also large numbers of persons who have not become naturalized because up to a few years ago they had been permitted to vote on mere declaration of intention to become American citizens, or so-called first papers, as in Texas, Indiana, and several other States. We also find a great many who can not be naturalized because their wives are not living in the United States and, on the other hand, they are denied the privilege of sending for their wives because they are not American citizens.

Taking all these conditions into consideration, anyone who is not biased and prejudiced must admit that instead of 7,000,000 unnaturalized, as stated, the gentleman from Ohio will be obliged to concede that the number who are not naturalized and entitled to naturalization is small, and I will wager now that a majority of those are of the older immigration. The figures I have given will justify me in saying that the continuous attacks and charges that the newer immigration is indifferent and not desirous of being naturalized are unwarranted, and are only made to prejudice the minds of the American people against them.

Mr. Chairman, I am making this statement to-day not only for the purpose of securing a larger appropriation for the Bureau of Naturalization but also to show how unfounded are the charges that the newer immigration is indifferent to acquiring American citizenship.

Mr. CABLE. Will the gentleman yield?

Mr. SABATH. Yes; I will yield.

Mr. CABLE. I said that there were 14,000,000 foreign born here and that less than half of them were naturalized.

Mr. SABATH. I have given the figures and will insert in the Record the table from which I have quoted.

These figures are taken from the United States Census Report and prove that the gentleman from Ohio is in error when he states that more than half of the 14,000,000 are not naturalized. To stop in the future these charges as to the large number that it is claimed are not naturalized, I am inserting a compiled table giving the correct number.

[From 1920 United States Census Report, Pages 805-886]

Total foreign-born white population	13,712,754
Number naturalized	6,479,159
Having first papers	1,219,057
Total	7,698,216
Number unnaturalized	6,014,538
Citizenship not reported	790,823
	5,223,715
Aliens under 21, ineligible for naturalization	1,304,034
	3,919,681
Aliens in United States less than 5 years (approximate)	900,000
Total unnaturalized adult aliens	3,019,681



Mr. Chairman, of the total 3,019,681 unnaturalized aliens who are eligible for citizenship I can approximate that one-half that number are females and about 650,000 Mexicans and Canadians.

Mr. RAKER. Will the gentleman yield for just one question?

Mr. SABATH. Yes.

Mr. RAKER. It is stated here that this is done for the creation of jobs—now, just a moment—it makes no difference whether one is a Democrat or a Republican, all of them are classified under the civil service, are they not?

Mr. SABATH. I believe they are.

Mr. RAKER. That is true.

Mr. SABATH. I really do not know. I know at one time they were not, but I think now they are; but I am not interested in that.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SABATH. I ask for two minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for two additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SABATH. Gentlemen, all I desire to bring home to you is this: There is no use to attack the foreign born because they do not naturalize and then go and make it impossible for them to be naturalized by refusing to appropriate for a sufficient number of examiners.

We should afford them all the opportunities we can so that they can be naturalized. I know that is the aim and the ambition of nearly all who can pass the examination to be made a citizen. This small additional amount asked will not cost the Government anything because every dollar that is expended by the Bureau of Naturalization is being collected from those who are being made citizens. The fees we collect are above the amount that it costs to run that department. Consequently there should be no objection on that point. I believe the amendment of the gentleman from Ohio should prevail. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The ears of the Chair are so attuned that he can not hear the cries of "Vote!" "Vote!" by Members, but he can easily hear a motion to close debate or a motion to amend; therefore gentlemen must not become impatient if the Chair does not obey the cries of "Vote!"

Mr. NEWTON of Minnesota. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen, the interest of the House in immigration and naturalization was evinced this last week. I take it that no one here wants to impair the naturalization service or in any way to slow up the process of naturalizing aliens who desire to become American citizens. This last year the bureau had a certain amount of money. If you read the hearings it will show that it is the opinion of the responsible officials of the bureau that they did not have enough money last year and that the work was slowed up by reason of that fact.

Now the Bureau of the Budget cut their estimates and cut them between \$38,000 and \$39,000. I will defy anybody to go through the hearings and show one single instance in justification of the cut below the appropriations for the current year. Commissioner Crisp called attention to the fact that he was cut and that he could not explain it. He said, "I do not know why it has been made; I was not consulted."

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. JOHNSON of Washington. This is a most unfortunate thing. The gentleman, named Mr. Crist, is under the director and he has no recourse, and when I asked him to come before the committee this morning he could not get permission to come.

Mr. NEWTON of Minnesota. The bureau was cut \$39,000, and he says he was not consulted about it at all. Furthermore, when he appears before the Committee on Appropriations—your committee and ours—he is asked about it and he does not know, but goes on to say, "I can not ask for any additional appropriation beyond what the Director of the Budget has put in, and I therefore do not intend to ask for any more." So under the regulations of this department he is precluded from asking for what he honestly thinks his department is entitled to.

Mr. MADDEN. I would like to correct the gentleman. It is not a regulation of the department; the law prohibits it.

Mr. NEWTON of Minnesota. All right; the law then.

Mr. MADDEN. We ought not to violate the law.

Mr. NEWTON of Minnesota. The gentleman does not mean that we ought never to raise the figures submitted by the Bureau of the Budget.

Mr. MADDEN. The gentleman has given no reason why we should.

Mr. NEWTON of Minnesota. The gentleman has set forth the printed hearings available to every Member and he has set

forth the appropriation of last year and called attention to the fact that the hearings do not disclose any reason for the cut.

Mr. SHREVE. The recommendations of the Bureau of the Budget were followed by the committee, and the Bureau of the Budget followed the recommendation of the President of the United States.

Mr. NEWTON of Minnesota. The gentleman knows that the President of the United States, while theoretically responsible, does not give attention to the items.

Mr. KUNZ. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. KUNZ. Is not this bureau self-sustaining in its operations?

Mr. NEWTON of Minnesota. Yes; and it seems to me that if there is to be a cut or a decrease there ought to be a reason for it in the hearings, and there is none there.

Mr. MADDEN. Mr. Chairman, I move that all debate upon the paragraph and all amendments thereto do now close.

The motion was agreed to.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to have printed in the RECORD a statement from the Department of Labor covering the subject that has just been discussed, showing the number of employees and the amount that has been paid for each year.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD in the manner indicated by him. Is there objection?

There was no objection.

The matter referred to is as follows:

DEPARTMENT OF LABOR,  
OFFICE OF THE ASSISTANT SECRETARY,  
Washington, March 13, 1924.

Hon. JOHN E. RAKER,

Representative in Congress, Washington, D. C.

MY DEAR CONGRESSMAN: Your letter of February 22 to the Commissioner of Naturalization was duly received, but it has only been possible at this time to compile the information you requested.

The accompanying statement is made up in response to the questions you have presented in numerical order. I trust you will be able to find from the appended statement the information you desire.

Very truly yours,

ROSE CARL WHITE,  
Second Assistant Secretary.

(Inclosure.)

1. The number of employees in the Washington office, 89—70 statutory positions; 19 lump-sum employees.
2. There are 11 naturalization districts within the continental United States and Porto Rico. Alaska and Hawaii are not included. At Ellis Island, N. Y., there is a certificate of arrival division directly under the Bureau of Naturalization.
3. Employees in the respective districts are as follows (March 1, 1924):

	Filled	Authorized
Boston.....	14	14
New York.....	32	69
Philadelphia.....	14	18
Washington.....	14	14
Pittsburgh.....	25	25
Chicago.....	37	41
St. Louis.....	11	14
St. Paul.....	14	14
Denver.....	9	9
San Francisco.....	18	19
Seattle.....	10	12
Ellis Island.....	14	23
Total.....		272

4. The amount of salary paid to each employee, bureau and field service:

	Bureau (Washington office)	Annual rate
1 (commissioner).....		\$4,000
1 (deputy commissioner).....		3,250
1.....		3,600
3.....		3,500
3.....		3,000
3.....		2,500
2.....		2,400
1.....		2,340
1.....		2,300
2.....		2,200
3.....		2,100
9.....		1,800
16.....		1,600
16.....		1,400
16.....		1,200
10.....		1,000
2.....		900
1.....		840
2.....		720
1.....		480

Field service	Annual rate
1	4,800
1	4,000
10	3,500
1	3,250
1	3,000
1	2,750
16	2,500
6	2,400
4	2,340
4	2,280
10	2,220
1	2,160
9	2,100
4	2,040
3	1,980
2	1,920
8	1,860
11	1,800
11	1,740
4	1,680
35	1,620
1	1,600
2	1,560
14	1,500
9	1,440
3	1,400
5	1,380
7	1,320
8	1,260
49	1,200
4	1,140
22	1,080
1	960
1	540
3	480

Total	1463,280
Statutory salaries, bureau	97,010
Lump-sum salaries, bureau	49,540
Lump-sum salaries, field	463,280
\$240 bonus	68,020

Total salaries, annual rate 677,850

5. The amount of money expended for overhead charges, July 1, 1923, to January 31, 1924:

	Expenditures	Estimated expenditure February 1 to June 30	Total annual
Travel and subsistence	\$40,479.08	\$41,250.00	\$81,729.08
Assistants to clerks of State courts	45,468.23	18,779.99	64,248.22
Rent of quarters	9,212.51	8,245.85	17,458.36
Communication service	1,840.99		
Transportation (things)	394.92		
Supplies and materials	4,215.86	9,121.15	15,881.14
Repairs and alterations	27.09		
Miscellaneous items	137.83		
Witness fees	143.30		
Total	101,919.81	77,396.99	179,316.80

6. Total amount expended, July 1, 1923, to January 31, 1924, fiscal year, 1924:

(a) For salaries (including \$240 bonus)	\$338,335.33
(b) For overhead	101,919.81

7. The number of employees in the service in 1917 and 1923:

	1917	1923
In bureau at Washington	63	85
In Field Service	93	205
Total	156	290

8. Expenditures per fiscal year from 1917 to 1923, inclusive:

	Fiscal year 1917	Fiscal year 1918
Salaries, bureau (statutory appropriation)	\$86,210.00	\$89,610.00
Salaries, Field Service	165,322.51	177,717.63
Increase of compensation	0.00	8,234.07
Assistants to clerks of United States and State courts	60,741.67	61,618.46
Travel and subsistence	42,672.42	46,991.65
Rent of quarters	4,050.00	4,125.02
Miscellaneous items	2,184.22	17,630.12
Total	361,180.82	407,148.13

\* See foot note on "Summary of statutory and lump-sum appropriations for balance of present fiscal year."

	Fiscal year 1919
Salaries, bureau (statutory appropriation)	\$97,010.00
Salaries, bureau (lump-sum appropriation)	80,430.89
Salaries, field service	351,891.85
Increase of compensation	14,752.67
Assistants to clerks of United States and State courts	58,831.47
Travel and subsistence	109,356.33
Rent of quarters	5,110.00
Miscellaneous items	36,239.21
Total	753,622.42

	Fiscal year 1920
Salaries, bureau (statutory appropriation)	\$97,010.00
Salaries, bureau (lump-sum appropriation)	80,880.92
Salaries, field service	297,374.94
Increase of compensation	52,961.01
Assistants to clerks of State courts	60,080.33
Travel and subsistence	95,063.81
Rent of quarters	7,000.00
Miscellaneous items	8,600.00
Total	699,971.01

	Fiscal year 1921
Salaries, bureau (statutory appropriation)	\$97,010.00
Salaries, bureau (lump-sum appropriation)	49,712.56
Salaries, field service	308,725.64
Increase of compensation	58,685.98
Assistants to clerks of State courts	70,254.18
Travel and subsistence	80,982.08
Rent of quarters	11,690.00
Miscellaneous items	13,135.54
Total	690,195.98

	Fiscal year 1922
Salaries, bureau (statutory appropriation)	\$97,010.00
Salaries, bureau (lump-sum appropriation)	49,986.72
Salaries, field service	319,734.64
Increase of compensation	58,248.68
Assistants to clerks of State courts	76,981.02
Travel and subsistence	69,320.27
Rent of quarters	13,200.00
Communication service	4,239.81
Transportation, things	1,547.14
Materials and supplies	7,553.75
Witness fees	1,231.40
Repairs and alterations	1,062.74
Special and miscellaneous current expenses	125.16
Distinctive paper (naturalization certificates)	3,000.00
Total	703,171.23

	Fiscal year, 1923
Salaries, bureau (statutory appropriation)	\$97,010.00
Salaries, bureau (lump sum appropriation)	49,724.00
Salaries, field service	345,080.94
Increase of compensation	60,052.01
Assistants to clerks of State courts	75,662.94
Travel and subsistence	84,414.49
Rent of quarters	9,697.03
Communication service	3,475.06
Transportation, things	1,166.81
Materials and supplies	12,871.39
Witness fees	177.76
Repairs and alterations	543.44
Special and miscellaneous current expenses	221.20
Distinctive paper (naturalization certificates)	6,084.19
Total	746,182.16

[NOTE.—Bureau salaries (statutory appropriation) expenditures are the full amounts of the appropriation as lapses arising from resignations reverts to the Treasury immediately. Such amounts are comparatively small.]

#### Recapitulation

	Per attached statement	Estimated for July 1, 1924
Salaries, bureau (Washington office)	\$146,550.00	
Plus additional amount allowable under \$50,000 allotment to bureau, lump sum	460.00	\$147,010.00
Salaries, field service	463,280.00	
Less temporary clerks, annual rate, to be dropped by June 30, 1924, and one position at \$4,800 to be abolished	15,480.00	447,800.00
Travel and subsistence	81,729.08	
Estimated amount required for next fiscal year		90,600.00
Assistants to clerks of State courts	64,248.22	
Less amount required to carry supreme courts of Kings and New York Counties to March 15, and supreme court Bronx County and common pleas court, Jersey City	50,748.22	13,500.00
Rent of quarters	17,458.36	
Estimated amount required for next fiscal year		20,000.00
Miscellaneous items	15,881.14	
Less emergency purchases of furniture and equipment at New York due to the increase of personnel required in taking over the naturalization work of State courts, etc.	5,881.14	10,000.00
Total	789,146.80	728,910.00
Less statutory appropriation		97,010.00
Lump-sum appropriation required for next fiscal year, 1925		631,900.00



Mr. CABLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SABATH. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LOZIER. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LOZIER. Mr. Chairman, I desire at this time to express my approval of that portion of the pending bill that appropriates \$29,577 to defray our proportionate part of the expense incident to the International Institute of Agriculture. This institute has been of very great value to the agricultural classes not only in the United States but throughout the world. It was conceived and founded by an American citizen, David Lubin, a Polish Jew, who came to America a poor and friendless boy. For a time he worked in a jewelry factory at Attleboro, Mass. Drifting to California and working at odd jobs, he soon accumulated a little fund with which he began his business life as a merchant, dealing largely in overalls, in the sale of which he was brought into close contact with the farmers of California. He studied and learned their problems, and his keen mind was thenceforth very largely dedicated to their welfare. While engaged in fruit growing he conceived the idea of an international congress, whereby the people in each nation might have accurate knowledge as to what the people in other nations were producing. He collected statistics, studied plant and animal life, investigated their diseases, and sought remedies therefor. The farmers of America have received great benefits from the agricultural credit system, but few of them know that we are indebted to David Lubin for this beneficent and helpful policy.

David Lubin was also responsible for the extension of the Parcel Post System to farmers and he was the father of cooperative marketing in America, his system having been patterned after the German "Landwirtschaftsrat." No other one person has contributed more for the upbuilding of American agriculture than David Lubin.

For a time he could not interest the United States Government or the agricultural classes of America in his plans for the creation of an International Institute of Agriculture. Many influential people to whom he unfolded his plans considered him an impracticable dreamer. They could not understand or appreciate the importance of the agency which had been conceived in the keen intellect of this far-seeing, future-looking friend of the farmers. Like all great benefactors he lived in advance of his age, seeing to-day what no one else sees but what all people will see and realize to-morrow. But he did not despair and persistently appealed to the nations to establish this institute which in all future generations would effectively and efficiently serve the agricultural classes. In 1904 he obtained the support of King Emanuel of Italy. Then other nations became interested, studied his plans, saw their merit, and accepted his proposals. As a result, in 1905, the International Institute of Agriculture was established by an international treaty to which the United States was a party. Forty nations participated in the first conference. That number has been enlarged until at the present time 62 nations of the world are members of this International Institute, annually make appropriations for its maintenance, and are the beneficiaries of its benevolent accomplishments. The King of Italy donated a splendid home in Rome, Italy, in which the institute is housed, and gave in addition 300,000 lire (\$60,000). The institute has developed into the greatest crop-reporting agency in the world.

The United States Department of Agriculture draws heavily upon this institute for statistics and information as to crop production and prices throughout the world, because the institute comes in direct contact with practically every civilized nation in the world. It collects and distributes information relating to the acreage, condition of crops, wheat conditions affecting the harvest, and probable production of the principal agricultural products that enter into international trade. The importance of this information can not be overemphasized. I quote from a bulletin issued by the United States Department of Agriculture:

Markets for the great staples—wheat, cotton, wool—and many other agricultural products are world markets, and prices in these markets are determined by the relation of the world demand to the world supply of such products. Therefore information as to the production of

crops and livestock in foreign countries is as important to farmers of the United States as is information about production in this country.

Article 9 of the international treaty creating this institute confines the operation of the institute to an international sphere and provides that it shall:

(a) Collect, study, and publish as promptly as possible statistical and economic information concerning farming, plant and animal products, the trade in agricultural products, and the prices prevailing on the various markets;

(b) Communicate to parties interested, also as promptly as possible, the above information;

(c) Indicate the wages paid for farm work;

(d) Make known new diseases of plants which may appear in any part of the world, showing the territories infected, the progress of the disease, and, if possible, the remedies which are effective.

(e) Study questions concerning agricultural cooperation, insurance, and credit in all their aspects; collect and publish information useful in the various countries for the organization of works connected therewith.

(f) Submit to the approval of governments, if there is need, measures for the protection of the common interests of farmers and for the improvement of their conditions.

By monthly bulletins and annual publications the institute disseminates the great wealth of information it accumulates from time to time and brings home not only to the governments but to the farming classes the agricultural conditions in every land. The 62 nations that have membership in this institute have 97 per cent of the world's population and 96 per cent of its total area.

The real work of the institute did not begin until January, 1909. David Lubin was the first delegate from the United States, having been appointed by President Roosevelt. Time will not permit me to discuss in detail the splendid accomplishments of this international institute, but I am not gully of making an extravagant statement when I say that the institute has contributed materially to the welfare of the farming classes in every one of the 62 nations by which the institute is sustained. Especially in crop reporting and agricultural statistics the accomplishments of the institute have been very helpful to the American farmers. By these reports and statistics we ascertain the production of foodstuffs in each of the 62 nations. We ascertain the quantity of exportable surplus in each nation. This is important and necessary information, because we are thereby advised as to the competition that our farm products will meet in the great world markets. It is also very important that we should be informed as to crop conditions and the quantity of exportable surplus foodstuffs in other nations. The institute gathers all this data by telegraph from accurate sources, and in turn transmits it to the world. I quote again the Secretary of Agriculture:

When the International Institute of Rome receives its crop condition reports from different countries, it at once telegraphs them to the United States Navy station at Paris. The Navy radiographs the summarized report to Washington, where it is delivered to the United States Department of Agriculture. The department releases it to the press simultaneously from Washington and from various State offices throughout the country. At 5 o'clock on the day of arrival at Washington from the institute in Rome, information is also broadcast by radio from the Department of Agriculture, and all farmers having radio-receiving sets may listen in. In this way the reports from the International Institute of Agriculture are given wide distribution throughout farm and commercial centers in the United States.

Since I became a Member of this body I have missed no opportunity to emphasize the importance of enlarging our export markets for farm production, because I believe that the two big things the farmer needs are enlarged markets and better prices for his commodities. The International Institute of Agriculture is helping materially to accomplish these results. In the language of the Department of Agriculture—

Its purpose is to afford farmers and all concerned in the production, distribution, and marketing of agricultural staples with rapid, continuous, reliable, and impartial data on the factors which determine the formation of the prices of the staples on the world's markets, and to act as a world clearing house for information on economic, scientific, and technical problems as they affect the great industry of agriculture.

May I add in conclusion that wheat and corn are practically imperishable food products of which there has never been an overproduction. I mean by this that somewhere in the world there has at all times been a hungry mouth for every pound of foodstuff produced in the world. It is not so much a question of overproduction as faulty or inadequate facilities for

transporting our food supplies to the people who need and want them. So instead of sitting up at nights, planning and scheming to reduce production, we should sit up at night and plan and scheme to increase the transportation facilities to carry our farm products to the nations that need them. By improving our internal and external transportation facilities we automatically enlarge our markets and stimulate the demands for our surplus production. The great question, therefore, is not to radically limit production, but to radically enlarge our transportation system to carry our farm commodities at low rates to foreign lands to the end that we may be able to invade and appropriate the world markets. By this plan we will substantially increase the wealth of our agricultural classes, materially aid in satisfying the age-long hunger of mankind, and definitely establish our supremacy and preeminence in the production of grain and other foodstuffs.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. CABLE) there were—ayes 13, noes 65.

So the amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. SHREVE. Mr. Chairman, there was one paragraph as to which unanimous consent was granted to return for the purpose of offering an amendment.

The CHAIRMAN. On page 35, lines 4 to 11. This paragraph was passed over with permission to return to it at any time, with an amendment pending, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. OLIVER of Alabama: Page 35, line 11, after the word "Columbia," strike out the period, insert a colon, and add the following: "Provided, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed \$10,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The amendment was agreed to.

The paragraph referred to and just amended, is as follows:

For assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases (such counsel shall not be required to take oath of office in accordance with section 366, Revised Statutes of the United States), \$840,000, to be available for expenditure in the District of Columbia.

Mr. SHREVE. Mr. Chairman, I move that the committee do now rise and report the bill to the House, with the amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 8350) making appropriations for the Departments of State and Commerce and for the judiciary, and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1925, and for other purposes, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SHREVE. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded upon any amendment? [After a pause.] If not, the Chair will put the amendments en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHREVE, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### DROUGHT-STRICKEN FARM AREAS OF NEW MEXICO

Mr. HAUGEN. Mr. Speaker, I submit a conference report on Senate Joint Resolution 52, for the relief of the drought-stricken farm areas of New Mexico, for printing under the rules.

#### WITHDRAWAL OF PAPERS

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to withdraw from the files of the House papers in connection with

the bill, H. R. 13479, a bill introduced by myself in the Sixty-fourth Congress, there being no adverse report thereon.

The SPEAKER. Is there objection?

There was no objection.

#### ADDITIONAL APPROPRIATIONS FOR DEPARTMENT OF AGRICULTURE

Mr. MADDEN, by direction of the Committee on Appropriations, reported House Joint Resolution No. 247 (Rept. No. 533), making an additional appropriation for the Department of Agriculture for the fiscal years 1924 and 1925, which was read a first and second time and with the accompanying report referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. GARRETT of Tennessee. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Tennessee reserves all points of order.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to proceed for one minute to make a statement.

The SPEAKER. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Speaker, this report just filed is in connection with an application for \$1,500,000 to meet an emergency which has arisen in California due to the prevalence of the foot-and-mouth disease in cattle. Some time ago this disease broke out in three or four counties in California and a million dollars was appropriated. That million dollars has been exhausted. The disease was eradicated in the location where it first broke out, but it jumped over about 100 miles, I believe, and broke out in another section of the State. There were 22,000 cattle which have recently been affected and which have had to be killed and buried in quicklime in order to prevent a further spread of the disease. This is a great emergency. The money they have had is exhausted, and I expect to ask unanimous consent to-morrow to call this resolution up for consideration, and that is why I asked permission to make this statement to-night.

#### FOREIGN MARKETS FOR AMERICAN FARM PRODUCTS

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H. R. 7111, the Ketcham bill?

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. LOZIER. Mr. Speaker, the pending bill is designed to promote American agriculture by expanding the service now rendered by the Department of Agriculture in gathering and disseminating information regarding agricultural production, competition, and demand in foreign countries, and in promoting the sale of farm products abroad, to the end that the American farmers may adjust their operations and practices to better meet world conditions, and, in short, to open up new world markets for our agricultural products. This bill has the indorsement of practically all of the national farm organizations. The operations under this bill are to be in cooperation with American producers and farm organizations, associations, departments of Government, the primary object being to extend and strengthen the demand for agricultural products abroad. This bill, if properly administered, should open up new markets and create new demands for our grain and meat products. It contemplates establishing trade relations with nations and countries that heretofore have not bought our farm products. We need markets. New markets mean increased demands and better prices. Somewhere in the civilized world there is a hungry mouth for every peck of grain we grow and for every pound of our meat we produce. There is no surplus of wheat or foodstuffs in the world and there never has been. The problem is one of transportation—getting the foodstuffs to the people who need and want them. This bill looks to the future. Behind it is the unanimous recommendation of the Committee on Agriculture, the State Department, Department of Agriculture, and Department of Commerce. It is a sensible and wholesome measure and should receive the vote of every Member of this House.

#### INJUNCTIONS

Mr. WEFALD. Mr. Speaker, I ask unanimous consent to print in the RECORD an address delivered by Senator SHIPSTEAD, of Minnesota, upon the question of injunctions in labor disputes?

The SPEAKER. The gentleman from Minnesota asks unanimous consent to print in the RECORD an address delivered by Senator SHIPSTEAD on injunctions in labor disputes. Is there objection? [After a pause.] The Chair hears none.

Mr. WEFALD. Mr. Speaker, under leave granted to extend my remarks, I insert in the RECORD an address delivered by the Hon. HENRIK SHIPSTEAD, United States Senator from Minne-



sota, delivered at the Forty-first Annual Convention of the Illinois State Federation of Labor, September 10, 1923, which is as follows:

Senator SHIPSTEAD. Mr. Chairman, delegates of the Illinois State Federation of Labor, and visitors, when President Walker said he had asked me to appear before this convention for the purpose of discussing some of the things I consider to be a danger in the path of the future welfare of America, the idea came to me that possibly he asked me to come here for another purpose this morning. He may have known that I did not attend church yesterday morning, and so he asked me to come over here to have the benefit of the very wonderful and beautiful sermon that he preached here. And I am very glad to have heard that sermon. I appreciate very highly the honor you conferred upon me when you asked me to come here this morning for the purpose of discussing the so-called government by injunction that is gradually and persistently displacing government by law.

The history of America, past and future, is a history of the common people. When this Government was founded the people reserved to themselves certain rights that they said even the Government could not take away from them. Our forefathers when they founded this Government said a good deal about the rights of the people; and these rights were reserved to the people themselves in the so-called Bill of Rights, the first amendment to the Constitution, and these rights were, in short, the right to peaceably assemble, freedom of speech, freedom of press, and religious liberty.

It was the intention that this Government should be a government by law. Within recent years we have gradually drifted away from a government by law to a government by an individual, according to the will and pleasure and conscience of a man, the so-called government by equity courts through their power to issue restraining orders or injunctions.

I know there has been and is being persistently spread all over the United States a propaganda that we, the people, have no right to criticize the action of a judge sitting on the bench, and the condemnation of us when we so criticize is based on the assumption that a judge sitting on the bench has an infallible conscience and can do no wrong.

That idea has been handed down to us from the distant past when we had kings that were supposed to rule by divine power, and therefore had an infallible conscience and could do no wrong. But people learned by bitter experience that the king was only a human being and that his conscience and his judgment were subject to error. And so humanity out of dire necessity found it necessary to curb the power of the king, and I believe the American people will find it necessary—and they are gradually beginning to see it more clearly, that if the rights of the people of America are to be preserved, the assumed rights of equity courts to violate the Constitution must be curbed, and the only people in America who can curb these courts and restore government by law are the common people, because the foundation of government by law and American institutions rests upon the common people of America.

We have very good precedent from that point of view. I want to call attention to and quote from some speeches made by the great emancipator, your former statesman and neighbor in Illinois, Abraham Lincoln, who, in that great controversy that surged around the Supreme Court's decision before the Civil War, when the Supreme Court of the United States had been packed with judges because they held a certain point of view, came into prominence and laid the foundation of his political life.

We find in his campaign against those decisions of the Supreme Court, particularly that decision that they made when they denied the right of Congress to prevent the extensions of slavery into free territory, the Dred Scott decision, that Lincoln was very viciously attacked because he presumed to point out how the Supreme Court had violated the Constitution, how they had usurped to themselves the power to rule over the people in disregard to the will of the people and the provisions of the Constitution.

I want to quote to you from several of his speeches, in order that you and I together may start out from the premises of the point of view of Abraham Lincoln. I think that is good authority, that it is a good foundation upon which to stand. In a speech in Cincinnati on September 17, 1859, he made a statement that is very clear, a statement that every boy and girl attending school in the United States should read. It is very apropos of the times, because it shows who Lincoln believed was master in the United States. In that speech he said:

"The people of these United States are the rightful masters of both Congress and courts, not to overthrow the Constitution but to overthrow the men who pervert the Constitution."

Lincoln believed that the Dred Scott decision was a misinterpretation of the Constitution and that every proper means should be used to induce the court to overrule it whenever a similar case should be presented to the court.

In a speech in Chicago, June 10, 1858, he said:

"If I were a Member of Congress and a vote should come upon the question of whether slavery should be prohibited in a new territory, in spite of the Dred Scott decision, I would vote that it should. We mean to have the court decide the other way. The sacredness that Judge Douglas throws around this decision is a degree of sacredness that has never before been thrown around any decision. I have never heard of such a thing."

That shows that Abraham Lincoln did not believe the decision of a court was infallible, and if such a decision violated the provisions of the Constitution that the people have a right to deny it as a political rule and endeavor to have the decision reversed. At Quincy, Ill., October 13, 1858, Lincoln said:

"We do not propose that when Dred Scott has been decided a slave by the court, we as a mob will decide to free him. We propose so resisting it as to have it reversed if we can and a new judicial rule established upon this subject."

I want to go into the history this morning, for a few minutes, of the so-called restraining order and injunction, to show where it originated, how it came to America, where it came from, where it was first used in America, and what time it became a weapon in the hands of those who are doing away with government by law and using it for the purpose of overthrowing government by law and to oppress labor.

As far back as 500 B. C. the plebeians of Rome found it necessary to elect annually two tribunes with extraordinary powers, to curb the political and economic oppression of the plebeians by the Romans. These tribunes had the power to say "I forbid," if appealed to in a judicial or legislative proceeding. And from that decision there was no appeal. But with the fall of the Roman Republic and the establishment of the Roman Empire the institution of the tribune was abolished.

In the tenth century we find it bobbing up again in England. Up until that time controversies had always been decided by the King in the absence of a constitutional law; but in controversies over property, where there was no remedy at law, the King could take jurisdiction and decide the questions at issue according to the dictates of his own conscience, on the assumption that his conscience was infallible, that he could do no wrong, because he ruled by divine right.

But the King was so busy a large part of the time drinking beer, hunting, and other things that he did not want to be bothered with these controversies that required the issuing of injunctions, and so he appointed a chancellor to take his place, and left in the care of this chancellor his conscience. And when the chancellor was appealed to in a controversy he would consult the king's conscience to find out what he said should be done, and render decisions accordingly.

In order to expedite business it was sometimes found necessary to appoint more than one chancellor, and these chancellors would interpret the king's conscience in accordance with their different points of view, and so their decisions would conflict. As keeper of the king's conscience and the great seal, with authority to issue mandatory writs and injunctions, it was natural that the Lord Chancellor should gradually assume the functions and character of a judge holding distinct and independent court from the courts of common or statutory law.

The court of chancery takes its name from the fact that the first court of its kind was presided over by a chancellor. Some people seem to have the idea that it was called a chancery court because people take a chance when they appeal to its decisions. It is natural that a court or chancellor sitting on the bench taking jurisdiction in controversies where there is no adequate remedy at law, or could not be handled by the so-called law courts, should gradually take to himself the functions of a separate and individual court as distinct from courts of laws, and so it gradually came to be called a chancery court.

This institution was in the beginning used to protect the poor and weak against the strong and rich. Lord Eversham, who served under Queen Elizabeth, said, in describing his court and its functions: "It is the refuge of the poor and afflicted. It is the altar and sanctuary for such as against the might of rich men and the countenance of great men can not maintain the goodness of their cause and the truth of their title."

It became the basic principles of the British chancery or equity courts that: "It was to be exercised for the property rights only," since "he who would seek its aid must come with clean hands; there must be no adequate remedy at law; it must not be used to punish crime; it must never be used to curtail personal rights." Thus we see what was the origin and purpose of the court of equity.

That is why we are particularly interested in it, because at this time equity courts are using those powers to curb the personal rights of individuals, particularly labor, in the United States.

To go into the history of the origin and the original purpose of the so-called courts of equity: When the English Colonies were established in America the colonists brought over with them the English common law and the English judicial procedure. When the American Government was founded, there being no king with an infallible conscience to leave in the custody of a chancellor appointed by him, the

Constitution provided that the "people's conscience" should be vested in a judge sitting in an equity court to take jurisdiction where there was no adequate remedy at law.

I want to call this particularly to your attention, because Lord Birkenhead, of England, last week in Minneapolis, where he was attending the meeting of the American Bar Association, said a very significant thing. He was quoted in the newspapers as saying that the "English people had never permitted their free will to be shackled by a judicial oligarchy as the American people had." And it seems to me, my fellow citizens, that when we become so reactionary that we are too reactionary for an English lord, it is time for us to sit up and take notice.

Up to 1888 there were many controversies involving capital and labor in America, but they were settled before a court and jury. It was not until 1888 that equity courts took jurisdiction restricting the rights of individuals, and it was not until 1891 that a Federal court undertook to prevent groups from doing what they could do individually. From that time the courts have, upon gradually less and less provocation, and more and more frequently, taken jurisdiction away from courts of law and have used the restraining order to curtail the rights of American citizens that have been guaranteed them under the Constitution.

And that I consider one of the greatest dangers to a government by law. One judge's "conscience" will not permit him to issue an injunction when requested to do so by an employer because of his conviction that it would abrogate the wage earner's constitutional rights; that it would inflict a grave injustice; that it would permit his court to be used by an employer as an additional and weighty club with which to beat down labor.

Another equity judge becomes a partisan of the employers, and his "conscience" permits him to shackle labor's hands during an industrial dispute. He issues his injunctions, commanding the wage earners to refrain from certain acts and carrying out certain policies for their self-preservation, which the employees have an unquestioned right to do and enjoy without legal or judicial interference.

An interesting case was the Wonderland Theater case, in Minneapolis. The theater had discharged its union employees and employed nonunionists in their places. Trade-unions were restrained from conducting a boycott they had instituted. The court granted the injunction on the assumption that their action violated the State anti-injunction law in restraint of trade. The Minneapolis Labor Review was enjoined from printing the fact that this theater was unfair to labor. The editor of the Labor Review continued to print the fact that this theater was unfair to labor. He was haled before a judge and sentenced to jail.

Over in St. Paul—about 15 minutes' ride away—there was another case, but it was not on labor's side. The employers, bankers, and manufacturers of that city had been federated into the Citizens' Alliance for the purpose of conducting an open-shop campaign. A firm of employing plumbers, Delaney Bros., refused to put an "open-shop" card in their window. The employers called a boycott on Delaney Bros. Delaney Bros. went into court and asked for an injunction to restrain the Citizens' Alliance from conducting this boycott. The court refused to grant this injunction and said the Citizens' Alliance had a perfect right, as individuals, to sever business relations with Delaney Bros.; and having the right as individuals, two or more of them could also do the same thing.

Here we have, within 15 minutes' ride, two courts finding their "conscience" two entirely different things. In one case they were applied to labor and in the other to the employers. The conflict created by these un-American, unconstitutional judicial acts was eloquently and forcefully described by United States Circuit Judge Caldwell in the case of Hopkins against Oxley Stave Co., when he said:

"English history is replete with examples showing that the King and his dependent and servile judges have subverted the rights and liberties of the English people but for the good sense of the English juries. It is the verdict of juries and not the opinion of judges that the English people are chiefly indebted to for some of their precious rights and liberties.

"On the other hand, when laborers combine to maintain or raise their wages or otherwise better their conditions, or to protect themselves from oppression, or to attempt to overcome competition with their labor or the products of their labor, in order that they may continue to have employment and life, their action, however open, peaceful, and orderly, is branded as a conspiracy when done by labor."

What is called conspiracy when done by labor is called competition when done by the employer. They can not help knowing that organized capital is not so restricted; and when treatment apparently so unfair and discriminating is administered through the instrumentality of a court, the resulting discontent and resentment of employees are invariably intensified because the law itself seems to have gone wrong and, in some unaccountable manner, to have taken sides against them.

The various conflicting decisions referred to—and there are many, many more of the same character—prove conclusively that business men and wage earners are not considered equal before many courts of equity. As citizens of America they have equal rights under the Constitution, but as soon as these equal rights clash the civil rights of the employer are upheld and the civil rights of the wage earner are denied. No greater proof for creating class distinctions can be offered. Unscrupulously, certain injunction judges have laid the axe on the very roots of constitutional liberty in the Republic.

The constant encroachment of equity courts upon the province of the courts of law constitutes one of the gravest dangers to a government by law. Government by injunction is not government by law; it is government according to the will and pleasure or conscience of a man. Government by law is a government by the people; government by injunction is government by an autocrat.

If a man violates an injunction, he is guilty of contempt of court; he is haled before a judge who becomes a judge, jury, and executioner. The method and the idea are the same as in the old days of the king; they are both based on the assumption that the king had an infallible conscience and could do no wrong, and the same applies to the equity courts in America.

As I said in the beginning, the people in time found the king was only a human being, that his conscience and judgment were subject to error the same as other individuals; and here in America, if we are to preserve the rights of the people guaranteed under the Constitution, we must come to the conclusion—and the sooner the better—that the judge sitting in a court is also a human being whose judgment and conscience are subject to error—the same as all other human beings—and that the rights that have been reserved to the people themselves in the Constitution can not be taken away from them by so-called courts of equity.

As government by injunction advances and takes the place of government by law, government by law passes away, and then we go back to government by an individual, government by an autocrat. It is an un-American institution and it is an institution that goes back to the Middle Ages. It has no business on American soil.

There is one other thing I want to call your attention to that is involved in this government by injunction, and this is that labor—the power of a human being to labor—is a commodity, and as such has no more than equal rights with capital before the law. Since the overriding of the provisions of the Clayton Act by the courts the laboring man now stands before the law as a commodity, and his power to labor as a piece of property. That idea is involved in the question and the decision of the American people, whether we shall decide finally and for all time, whether or not America shall go back to the Middle Ages and the laboring man back to serfdom, or whether America shall be permitted to carry out her historic mission in the world, that this shall be a place where the golden rule shall be expressed in government, or whether we shall drift back to a government by an autocrat, a government by a man instead of a government by law.

Now, what is a piece of property? According to the dictionary a piece of property is something you can receive from some one as a gift, you can sell it and give title to it, you can bequeath it to your heirs. And this being so, can we make the labor of a human being a piece of property that can be put on the auction block and sold to the highest bidder?

What made the individual slave so valuable to the owner was the fact that he had the power to labor. The Good Book says that when the Lord created the earth He labored for six days, and on the seventh day He rested, and there is nothing to show that He ever labored since. But when He created man He placed in the heart and soul of man an infinite part of Himself. He gave unto that human being the power to labor with hand and brain to create things in order that the scheme of creation could go on, and that scheme of creation has been going on down all the pages of history.

In my time I have seen more miracles than were ever discovered in Holy Writ. The turbine engine, the telephone, the telegraph, the radio, the skyscraper; all these were created by man through the power given him by his Creator. And this thing that man has received from his Creator those who exploit labor would make a piece of property to be sold on the auction block. It can not be sold without selling the body of the laborer. It is inseparable from the body of the laborer. You can not receive it from your forefathers, you can not give it to a friend, you can not leave it to your heirs. It is an attribute of life received by the human being at birth and it goes back at death to Him who gave it, and he who would make of human labor a piece of property would buy and sell his Creator.

And the decision of this question whether the power of a human being to labor shall be finally and conclusively decided to be a piece of property will determine whether men and women in America shall be free men and women, upholding America's historic mission showing all the world that the people themselves have the right and the intelligence to own a government itself, to use it for the purpose for



which this Government was intended to be used, to promote the public welfare, to promote the happiness of the people and to protect and guard the rights of the people guaranteed them in the Constitution and in the Bill of Rights.

Upon whether or not we shall be able as citizens to decide this question from the point of view our forefathers decided it will depend whether America shall go back to be a government by the people, or whether we shall finally drift to become a government by judicial conscience and consolidated money power.

#### AMERICA'S SECOND DECLARATION OF INDEPENDENCE

Mr. VAILE. Under the general leave granted to extend remarks on the pending immigration bill I desire to insert in the RECORD a brief but admirable speech by Mr. JOHNSON of Washington, chairman of the House Committee on Immigration and Naturalization and author of the immigration restriction bill, delivered on Friday, April 18, before the annual congress of the Daughters of the American Revolution. This speech is a clear and ringing American statement fitly setting forth what I believe, and what a majority of the Congress of the United States believes, to be the true attitude of the American people. Mr. JOHNSON's speech is as follows:

Madame President and Daughters of the American Revolution: The Congress of the United States is this very day passing a restrictive immigration act, under the terms of which the United States ends forever the idea that it is the asylum for the oppressed of the world. This step has become necessary. We are about to require examination of immigrants overseas. This is to end misery and hardships, and is also for the welfare of the United States. We are about to reconstruct Ellis Island. This is an effort to give the limited number who may come under our 2 per cent of 1890 quota act a little better reception at the front door than others have received in the past.

We are about to end an arrangement which is not part of a treaty and which has caused endless misunderstanding between our people and those of a friendly nation in the Far East. We are not abrogating a treaty. If we desired to do that, our Government would give the required six months' notice. By the agreement our immigration from Japan is regulated by Japan. It is our sovereign right to regulate immigration to our shores. Our right to say who shall live among us and be of us has been challenged, and our Nation has been threatened with "grave consequences." I say to you that no nation can or will compromise its sovereignty. This Nation, born of the deeds of your ancestors, will never do that. To do so is to invite war. Not to compromise is to prevent war. It is the pride of our country that on great national issues the Congress of the United States has always abandoned party lines and risen to patriotic heights. It is our hope that the Congress always will. I know that Congress always will if the character and genius of those who founded this country is not overwhelmed.

Our new immigration law is written for all who are now within the United States, for all who come under the protection of our great Constitution, which begins with the magnificent words of the preamble, "We the people of the United States"—people, not citizens. We are all the children of immigrants, and our new immigration bill as written makes it clear that it makes no difference whether our ancestors came on the *Mayflower* or whether they missed the first boat.

Now that real restrictive immigration legislation is assured, our next step is the development of real Americanization. It is our duty to reach out to every last person in the United States of whatever race, to take him by the hand and let him know by word and deed that we are for him and that he must be for us. I congratulate the Daughters of the American Revolution on the work done along these humane and patriotic lines.

Madame President and ladies, our new immigration legislation, passed by decisive votes in each House, is America's second declaration of independence.

#### LEAVE OF ABSENCE

By unanimous consent, Mr. DOYLE was granted leave of absence for three days on account of important business.

#### ADJOURNMENT

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p. m.) the House adjourned until to-morrow, Saturday, April 19, 1924, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

439. A letter from the chairman of the Interstate Commerce Commission, transmitting a report for the month of March,

1924, showing the condition of railroad equipment, in compliance with the provisions of Senate Resolution 438, dated February 26, 1923; to the Committee on Interstate and Foreign Commerce.

440. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize certain officers of the United States Marine Corps to accept from the Republic of Haiti the medal for distinguished service; to the Committee on Foreign Affairs.

441. A letter from the general secretary of the Near East Relief, transmitting report for the year ending December 31, 1923, consisting of reports for the calendar year 1923 by the executive committee, treasurer, auditor, general secretary, overseas observers, and officers and members who have served on the board of trustees; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ELLIOTT: Committee on the Territories. H. R. 4825. A bill for the establishment of industrial schools for Alaskan native children; with amendments (Rept. No. 528). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRITTEN: Committee on Naval Affairs. H. R. 8732. A bill to authorize the disposition of lands no longer needed, and the acquisition of other lands required, for naval purposes; without amendment (Rept. No. 529). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. J. Res. 239. A joint resolution authorizing the Secretary of Agriculture to purchase and distribute suitable medals to be awarded to exhibitors winning first and championship prizes at the twenty-fifth anniversary show of the International Livestock Exposition of Chicago, Ill.; without amendment (Rept. No. 531). Referred to the Committee of the Whole House on the state of the Union.

Mr. MADDEN: Committee on Appropriations. H. J. Res. 247. A joint resolution making an additional appropriation for the Department of Agriculture for the fiscal years 1924 and 1925; without amendment (Rept. No. 533). Referred to the Committee of the Whole House on the state of the Union.

Mr. CURRY: Committee on the Territories. H. J. Res. 60. A joint resolution authorizing the improvement of the system of overland communications on the Seward Peninsula, Alaska; without amendment (Rept. No. 530). Referred to the Committee of the Whole House on the state of the Union.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6387) granting a pension to Mary A. Johnson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8675) granting an increase of pension to Mary Ann Mathewson; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DREWRY: A bill (H. R. 8753) to authorize the acquisition of a site and the erection thereon of a Federal building at Chase City, Va.; to the Committee on Public Buildings and Grounds.

By Mr. NEWTON of Minnesota: A bill (H. R. 8754) to amend section 206 of the transportation act, 1920, approved February 28, 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. BURTON: A resolution (H. Res. 263) providing for expenses incurred in the Harding memorial exercises; to the Committee on Accounts.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEERS: A bill (H. R. 8755) granting a pension to Mary L. Peck; to the Committee on Invalid Pensions.

By Mr. BROWNE of Wisconsin: A bill (H. R. 8756) granting a pension to Emma Post; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 8757) authorizing the appointment of Kenneth Little as an Infantry officer, United States Army; to the Committee on Military Affairs.

By Mr. CLARK of Florida: A bill (H. R. 8758) to require the Secretary of War to cause to be made a survey for a canal from Cumberland Sound to or near the mouth of the Mississippi River, and to make full and complete report to Congress of the most feasible route and cost of construction; to the Committee on Rivers and Harbors.

By Mr. DOYLE: A bill (H. R. 8759) for the relief of Frank Martin; to the Committee on Claims.

By Mr. FOSTER: A bill (H. R. 8760) granting an increase of pension to Annie C. Frazee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8761) granting an increase of pension to Rebecca Murray; to the Committee on Invalid Pensions.

By Mr. FREDERICKS: A bill (H. R. 8762) granting a pension to Sarah A. Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8763) granting a pension to Elmer Ware; to the Committee on Pensions.

By Mr. GIBSON: A bill (H. R. 8764) granting an increase of pension to Lurette L. Morse; to the Committee on Invalid Pensions.

By Mr. HAWES: A bill (H. R. 8765) granting an increase of pension to Daniel McDonald; to the Committee on Pensions.

Also, a bill (H. R. 8766) granting an increase of pension to Patience A. Karnes; to the Committee on Invalid Pensions.

By Mr. JOHNSON of West Virginia: A bill (H. R. 8767) granting an increase of pension to Rosaline E. Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8768) granting an increase of pension to Gerutia C. McDonald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8769) granting an increase of pension to Isabell Congo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8770) granting an increase of pension to Harriet Donohue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8771) granting an increase of pension to Sarah P. Deem; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 8772) granting a pension to Kate Irwin; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 8773) granting a pension to Augusta Chapman; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 8774) to place the name of Edgar B. Ernst upon the retired roll of the United States Army; to the Committee on Military Affairs.

By Mr. LYON: A bill (H. R. 8775) authorizing the Secretary of War to make a survey of Elizabeth River, N. C.; to the Committee on Rivers and Harbors.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 8776) for the relief of Joseph W. Jones; to the Committee on Military Affairs.

By Mr. RAINEY: A bill (H. R. 8777) granting a pension to Lucinda Belle Burbridge; to the Committee on Invalid Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 8778) for the relief of Wynona A. Dixon; to the Committee on Claims.

Also, a bill (H. R. 8779) for the relief of Clarence Cleghorn; to the Committee on Claims.

By Mr. THOMAS of Oklahoma: A bill (H. R. 8780) for the relief of J. G. Mitchell; to the Committee on Claims.

Also, a bill (H. R. 8781) for the relief of H. D. Ingraham; to the Committee on Claims.

Also, a bill (H. R. 8782) for the relief of Anna Beaver; to the Committee on Claims.

Also, a bill (H. R. 8783) for the relief of John H. Ledgerwood; to the Committee on Claims.

Also, a bill (H. R. 8784) for the relief of C. J. Aurell; to the Committee on Claims.

Also, a bill (H. R. 8785) for the relief of S. J. Coffey; to the Committee on Claims.

Also, a bill (H. R. 8786) for the relief of Mrs. C. E. Bear; to the Committee on Claims.

Also, a bill (H. R. 8787) for the relief of Date Crabtree; to the Committee on Claims.

Also, a bill (H. R. 8788) for the relief of Joe Jacobson; to the Committee on Claims.

Also, a bill (H. R. 8789) for the relief of W. Garvin; to the Committee on Claims.

Also, a bill (H. R. 8790) for the relief of Dr. L. C. Knee; to the Committee on Claims.

Also, a bill (H. R. 8791) for the relief of Charles Fuson and J. E. Fuson; to the Committee on Claims.

Also, a bill (H. R. 8792) for the relief of Mrs. E. C. Swisher; to the Committee on Claims.

Also, a bill (H. R. 8793) for the relief of Ada Hammond and O. W. Northrup, partners; to the Committee on Claims.

Also, a bill (H. R. 8794) for the relief of Julia H. Burns; to the Committee on Claims.

Also, a bill (H. R. 8795) for the relief of E. L. Shanklin and E. L. Kelly, partners; to the Committee on Claims.

Also, a bill (H. R. 8796) for the relief of Mary E. Wooten; to the Committee on Claims.

Also, a bill (H. R. 8797) for the relief of Hannah Beaver; to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 8798) granting a pension to Stella M. Webster; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2453. By Mr. BACHARACH: Petitions of numerous citizens and residents of Atlantic, Burlington, Cape May, and Cumberland Counties, N. J., protesting against sundry bills to amend the Federal prohibition act to legalize 2.75 per cent beer; to the Committee on the Judiciary.

2454. By Mr. COOPER of Wisconsin: Petition of officers and members of Morris Camp, No. 7, United Spanish War Veterans, Beloit, Wis., urging passage of the Bursum bill, S. 5; to the Committee on Invalid Pensions.

2455. Also, petition of members of Bancroft Auxiliary, United States War Veterans, Racine, Wis., urging passage of H. R. 5934, to pension soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition; to the Committee on Pensions.

2456. By Mr. GALLIVAN: Petition of John H. Putnam, 24 Thornton Park, Winthrop, Mass., and others, recommending favorable consideration of the Dill radio bill; to the Committee on the Merchant Marine and Fisheries.

2457. Also, petition of the Boston Association of Retail Drug-gists (Inc.), Boston, Mass., protesting against enactment of H. R. 6645, which proposes to place the supervision of industrial alcohol under the prohibition enforcement officers; to the Committee on the Judiciary.

2458. Also, petition of Mrs. E. Lynch, 7 Rozella Street, Dorchester, Mass., recommending favorable consideration of the Dill radio bill; to the Committee on the Merchant Marine and Fisheries.

2459. By Mr. GIBSON: Petition of 130 voters of the town of Derby Line, Vt., protesting against proposed legislation to modify the Volstead law and legalize 2.75 beer; to the Committee on the Judiciary.

2460. Also, petition of officers of the Woman's Christian Temperance Union of Bristol, Vt., protesting against proposed changes in the Volstead Act; to the Committee on the Judiciary.

2461. Also, petition of officers of the Woman's Christian Temperance Union of Rochester, Vt., protesting against legalizing of beer and legislation to weaken the prohibition act; to the Committee on the Judiciary.

2462. Also, petition of 36 citizens of Plainfield, Vt., protesting against legalizing of beer and against bills that propose to weaken the Federal prohibition act; to the Committee on the Judiciary.

2463. Also, petition of the secretary of the Woman's Christian Temperance Union of Windsor, Vt., protesting against modification of the Volstead law and legalizing beer; to the Committee on the Judiciary.

2464. Also, petition of the president of the Woman's Christian Temperance Union of Vermont, protesting against legalizing beer and a modification of the Volstead Act; to the Committee on the Judiciary.

2465. By Mr. MORROW: Petition of the Chamber of Commerce of East Las Vegas, N. Mex., Thomas A. Johnson, president, favoring the recommendation of the War Department for appropriations for the fiscal year of 1925; to the Committee on Appropriations.

2466. By Mr. PATTERSON: Petition of 110 residents of Westville, N. J., protesting against legalizing 2.75 per cent beer; to the Committee on the Judiciary.

2467. Also, petition of 33 residents of Penns Grove, N. J., protesting against legalizing 2.75 beer; to the Committee on the Judiciary.

2468. Also, petition of 103 residents of Blackwood, N. J., protesting against legalizing 2.75 beer; to the Committee on the Judiciary.

2469. Also, petition of 76 residents of Newfield, N. J., protesting against legalizing 2.75 beer; to the Committee on the Judiciary.



2470. Also, petition of 35 residents of Almonesson, N. J., protesting against legalizing 2.75 beer; to the Committee on the Judiciary.

2471. Also, petition of 120 residents of Swedesboro, N. J., protesting against legalizing 2.75 beer; to the Committee on the Judiciary.

2472. Also, petition of 261 residents of Woodstown, N. J., protesting against legalizing 2.75 beer; to the Committee on the Judiciary.

2473. By Mr. ROGERS of Massachusetts: Petition of the foreign-trade committee of the Illinois Manufacturers' Association, favoring H. R. 6357 and H. R. 4517; to the Committee on Foreign Affairs.

2474. By Mr. SITES: Papers to accompany H. R. 8750, granting an increase of pension to Mary A. Bowman; to the Committee on Invalid Pensions.

2475. By Mr. WILLIAMS of Michigan: Petitions of the South Albion Women's Club, Albion, Mich., commending work of special commission on narcotics, and favoring appropriation for sending representatives to forthcoming international conference; to the Committee on Foreign Affairs.

## SENATE

SATURDAY, April 19, 1924

(Legislative day of Thursday, April 10, 1924)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Adams	Fess	Ladd	Sheppard
Ball	Fletcher	Lodge	Shields
Bayard	Frazier	McKellar	Shipstead
Borah	George	McKinley	Shortridge
Brandeggee	Gerry	McLean	Simmons
Brookhart	Glass	McNary	Smith
Broussard	Gooding	Mayfield	Smoot
Bursum	Hale	Moses	Stanfield
Cameron	Harris	Neely	Stephens
Capper	Harrison	Norbeck	Sterling
Caraway	Heflin	Norris	Swanson
Celt	Howell	Oddie	Trammell
Curtis	Johnson, Calif.	Overman	Walsh, Mass.
Dale	Johnson, Minn.	Phipps	Walsh, Mont.
Dial	Jones, Wash.	Pittman	Warren
Dill	Kendrick	Ralston	Watson
Ernst	Keyes	Reed, Pa.	Willis
Ferris	King	Robinson	

Mr. CURTIS. I wish to announce that the Senator from Wisconsin [Mr. LENROOT] is absent on account of illness. I ask that the announcement may stand for the day.

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, a quorum is present.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed a bill and joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 8350. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1925, and for other purposes; and

H. J. Res. 194. Joint resolution to print as a House document the proceedings of the national encampments of the Grand Army of the Republic, and United Spanish War Veterans, and the American Legion, for the use of the House and Senate.

### PETITIONS AND MEMORIALS

Mr. OVERMAN. I present resolutions adopted by the Chamber of Commerce of Charlotte, N. C., in favor of adequate appropriations for the maintenance of the Army and Navy. I ask that the resolutions be printed in the Record and referred to the Committee on Appropriations.

The resolutions were referred to the Committee on Appropriations and ordered to be printed in the Record, as follows:

CHARLOTTE, N. C., April 15, 1924.

Be it resolved by the board of directors of the Charlotte Chamber of Commerce in meeting assembled:

First. That it is the duty of the Members of Congress to provide full and ample funds to afford the necessary police protection for the lives and property of the citizens of the United States Government;

Second. That sufficient appropriations should be made annually by Congress for the maintenance of a Navy and Army of sufficient strength and size to meet any emergency that may arise for the interest of the American people;

Third. That we heartily approve of the proposed defense act in the matter of providing the citizens army, and request and urge the Senators and Congressmen of North Carolina to support said act, and that a sum of not less than \$6,000,000 be appropriated by Congress to meet the requirements as designated in said act.

T. L. KIRKPATRICK,  
President.

C. O. KUETER,  
Vice President and Business Manager.

Mr. WILLIS presented a petition, numerous signed, of sundry citizens of Akron and vicinity, in the State of Ohio, praying for the passage of drastically restrictive immigration legislation, with not greater than 2 per cent quotas based on the 1890 census, which was referred to the Committee on Immigration.

Mr. CAPPER presented a memorial of sundry members of the Woman's National Committee for Law Enforcement, of Clay Center, Kans., remonstrating against the passage of legislation modifying the so-called Volstead prohibition act, so as to legalize the manufacture and sale of beer, which was referred to the Committee on the Judiciary.

He also presented the memorial of the Frances Willard Woman's Christian Temperance Union, of Liberal Kans., remonstrating against the passage of legislation legalizing the manufacture and sale of 2.75 per cent beer, which was referred to the Committee on the Judiciary.

### REPORTS OF COMMITTEES

Mr. BORAH, from the Committee on Education and Labor, to which was referred the resolution (S. Res. 202) directing the Secretary of Labor to furnish information as to number of nationals admitted into the United States during the past twelve months, reported it with an amendment striking out the preamble.

Mr. KENDRICK, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 2397) to provide for refunds to veterans of the World War of certain amounts paid by them under Federal irrigation projects, reported it with amendments.

Mr. BALL, from the Committee on the District of Columbia, to which was referred the bill (S. 1785) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, and acts amendatory thereof, reported it with amendments and submitted a report (No. 426) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 106) for the relief of Robert F. Hamilton, reported it without amendment and submitted a report (No. 427) thereon.

### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHIPSTEAD:

A bill (S. 3123) authorizing the Secretary of Commerce to convey certain land to the city of Duluth, Minn.; to the Committee on Commerce.

By Mr. DILL:

A bill (S. 3124) granting an increase of pension to Augusta J. G. Hall (with accompanying papers); to the Committee on Pensions.

By Mr. ADAMS:

A bill (S. 3125) to adjust water assessments and charges on land under the Uncompahgre reclamation project; and

A bill (S. 3126) to prohibit charges upon land under reclamation projects exceeding the estimates of the cost thereof; to the Committee on Irrigation and Reclamation.

### AMENDMENTS TO STATE, JUSTICE, ETC., DEPARTMENTS APPROPRIATION BILL

Mr. REED of Pennsylvania submitted an amendment proposing to pay \$4,200 to Leonore M. Sorsby, daughter and only child of William B. Sorsby, late envoy extraordinary and minister plenipotentiary of the United States to Bolivia, as reimbursement for extraordinary expenses incurred for medical attendance, nurses, hospital treatment, and transportation to the United States following a stroke of paralysis suffered by said William S. Sorsby at his post of duty, La Paz, Bolivia, from which he remained wholly disabled until his death, intended to be proposed by him to House bill 8350, the State,